

TWO PAPERS

ON

How far Agriculture and Railway
contribute to the welfare of India

AND

Is a new and more stringent Factory
Act required for the regulation
of the Mill Industry of
Bombay.

BY

NUSSERWANJI SHERIARJI GINWAIJ

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“How far Agriculture & Railways contribute to the welfare of India”?



Agriculture and Railways are the two most potent agents for the development of the resources of India. They are both the all absorbing topics of the day in as much as they affect materially the well-being of the subject races and at the same time enhance the welfare and secure the stability of the English rule. They are the most extensive fields for native intelligence and native energy to work in. They are moreover the chief sources through which the comfort and ease for the varied population of India are derived at a small price. They are the fountain heads from which the stream of prosperity for the British Empire in India constantly flow.

India possesses vast tracts of arable lands which are supplied with a sufficient quantity of water. These with the aid of modern science and western civilization can be easily turned into smiling fields producing abundant crops. Naturally the soil is rich. In fruitfulness and extent it can stand a fair comparison with any other fertile country in the world. But by constant use and rough handling it has already been deprived of a great part of its fecundity and richness. Consequently it now refuses to yield the same quantity as it did in its virgin state. Undoubtedly then the soil of India badly wants great improvements both in her agricultural industry and in the usual modes of developing the resources of the country. According to Bacon three things make a nation powerful and great “a fertile soil, busy workshops, and easy conveyance of men and things from one place to

another." India at present enjoys enviable peace and unheard of prosperity and to whom does it owe these? To her benign English rules. Among the many works of these foreign rulers conducive to the happiness and comfort of the people, railways and canals perhaps stand prominent. Vast areas of the country have been covered over with the former and immense tracts of land have been utilised for the purposes of the latter.

I am quite convinced that under British rule the position of the agricultural population and the producing capacity of the country were and would continue to be materially improved, and that the resources of India were capable of development which as yet it was impossible to measure. But although the monsoons of India conferred upon it its agricultural rank amongst other countries, yet within India itself they varied immensely, and created enormous varieties of climate in combination with two other varying factors the temperature and the dryness of land in proportion to their distance from the sea; and in consequence there was no crop in the world which India could not produce. Partly owing to historical causes and partly to the fearful struggle that has to be carried on with nature in many parts of India, the native cultivators had, as a rule, developed into the most patient, and hard-working agriculturists that could be found on the face of the earth. Inured to privation, accustomed to maintaining life on short meals, and with scanty clothing, they gave their labour for the smallest return it was possible to conceive. The consequence was that, broadly speaking, the agriculture of the country was carried on by a vast human machine which was cheaper in its working than it was possible for any machine of steam or iron to be.

For years together the English in India have

devoted the best part of their energy, intelligence and resources in opening out the country under their rule. By different speedy and safe channels of easy communication they have linked together in one unbroken chain provinces, districts and countries. By twenty years of incessant toil and restless activity they have supplied a sufficiently large part of the vast country with roads, railways, irrigation works, canals and public buildings. For the good of the people they have done enough. It is quixotic to expect Government to do more in this direction although they have been compelled to put a stop to their most praiseworthy attempts by the state of the public finance. The strain of the last few years has almost exhausted the public funds, and after paying due consideration to the question of public works and their construction out of state funds and under state guarantee Government has come to the conclusion that henceforth private capital and enterprise are likely to achieve good results in the development of works above described. There are many projects which could be more easily taken up and successfully accomplished by private enterprise better than by the state. Lord Ripon very pointedly once said. "The task of administration here is one to task the faculties and energies of the ablest public servant, and for my part I believe that it is a very great advantage to limit that task as much as may be possible and to leave to others—to private individuals and to the people themselves as much of the work of developing and extending their own prosperity as it is possible for the circumstances of the country to admit."

England rich as it is in her national wealth, and inexhaustible as it is acknowledged to be in her own resources is slowly turning her eyes from India the richest of her dependencies to Africa for fresh woods and pastures new. In the face of this patent fact it

is now high time for the children of India, seeing the dulness, slackness and decrease of general trade and business staring them in the face without any immediate prospect of a change for the better, to wake up and exert themselves to the best of their powers in turning to advantage the still uncultivated tracts of virgin soil now lying idle. These should be ploughed with the appliances of modern science and with the implements of European husbandry. The people of India should further attempt at improving the soil already under cultivation for ages past, and which for years together yielding golden harvests now sternly refuses to yield more for want of better nourishment. It is a deplorable fact that the natives of India are sadly wanting in their appreciation of special manures to be made use of in increasing the vigour and fertility of the almost exhausted land. There are two causes at work in depriving the people of this foresight and judgment. These are ignorance on the one hand and a penny wise and pound foolish policy on the other. If India is ever to attain the position which her natural resources entitle her to claim, this very class, the peasantry must be shown how to help themselves out of the slough of ancestral debt and inherited pauperism. If the soil could be induced to yield larger and better crops the cultivator is at once benefited. There are other drawbacks for the natives of India which must not be over-looked. Inveterate habits, immemorial customs, usages and uncouth manners inherited from their ancestors. These the people now would take pride in holding tenaciously at every sacrifice rather than yield to the blandishments of modern science and the beneficial results and usefulness of European civilisation and enlightenment. Innovations however profitable are hateful in their eyes, and adoption of that which has much of good and sense in it is a sin. To improve his own condition is to cast reflections upon that of his father. What he

has learnt from the last generation, he teaches to the next, and all outside that is vanity and vexation of heart. For what is he that he should fly in the face of "Kismet" (fate) and disturb the time-honored traditions of his ancestors. They are entirely blind to the excellent virtues of new manures prepared on the improved principles. They are again quite obtuse to perceive that application is the only potent antidote to subdue the obstinate soil and compel her, if not at once, by degrees, to be a source of new wealth. Europeans have made frequent efforts to improve the system of manuring the land, in vogue among the natives, but so long as they personally make a bare livelihood they have no further ambition to better their position. The natives of India have a rich inheritance left them by their ancestors in the shape of fertile land and since this legacy they have exhausted by their own lavish and careless expenditure it is their bounden duty to leave that inheritance to their successors in the same state as they have received it from their forefathers. It is at the same time necessary to remind Government officials occupying high positions that in wielding the power with which they are entrusted they must bear in mind that they are not the independent proprietors but merely the trustees of the great estate which they manage and as such it is their duty not only to preserve intact but moreover to improve the subject of their trust. The development of agriculture greatly depends upon the energy, ability and wide experience of Revenue Commissioners. Under their protecting care the ryots are prosperous and happy and by their constant exertions much of the waste land in the country is turned to smiling fields yielding rich harvests. India is not blessed with many such officials. Sir Richard Temple one of the most energetic of Indian Governors best understood the object of such trust and properly worked in the fulfilment of the conditions of the trust. He had perhaps the keenest sense and

best appreciation of the value of agricultural works and their urgent wants to this country. It was he who gave a fresh impulse to agricultural science, not only by the force of his personal exertions, but by virtue of his great administrative abilities. His words though general can be very appropriately applied to the present subject. He once said "I am sure that you
 "native gentlemen, most of you will understand the
 "value of science as conducive to human welfare, that
 "you will appreciate the spirit of the age of progress
 "in which we live, that when you see times changing
 "for the better you will change with them, and that
 "if you cannot at once understand all the improvements
 "which are presented for your approval, you will at all
 "events listen with deference to your European fellow-
 "citizens in whose scientific knowledge and practical
 "wisdom you can justly confide, and so I am sure that
 "the citizens of Bombay will ever be found in the van
 "of progress and foremost in the path of improvement."

As it is the duty of the rulers of India to promote the welfare and develop the resources of India's prosperity commerce and grandeur, so it is equally the duty of every educated native of India to concentrate all his energy and intelligence and apply them to the great educational, social, financial, industrial and economic questions of the day which affect and are likely to affect the vital interests of their native land. If the generous Government of our land were to see us helping them and helping ourselves in the right direction they would assuredly confer on us the guarantee of liberty and equality of rights which are founded on true principles of law and equity. India is one of those countries where varied avocations of life are essential for the support and well-being of its varied population. Consideration of this subject was never so opportune as at the present moment when there hangs a gloomy cloud

of distress from one end of the Indian sky to the other. The intense and increasing poverty of the mass in general and of many native states in particular cannot now be disputed. This state of affairs was ably depicted both in India and England by experienced and able men some time ago. It seems incontestable that certain parts of the great population of India are sinking deeper and deeper into irretrievable poverty in the absence or want of new fields of enterprise and on account of discouragement met with by adventurous and public spirited capitalists both English and native. As some parts of the land of our native chiefs are in the hands of pauper cultivators it is indispensably necessary that during a greater part of the year when the ryot has nothing to do he should be induced to aid in planting trees, in repairing roads, in sinking wells and building tanks. The villages claiming these pauper cultivators as their denizens are nothing more than an unsightly collection of mud-huts with insecure thatched roofs, their squalor only relieved by the house of a Bunya appearing here and there. The contrast is strikingly wretched. In every village as a rule is the Bunya's shop. He is by profession a money lender, a pawn broker, and very often receiver of stolen property. His appearance reminds us of an European Jew who is remarkably shrewd in business matters and who takes particular care of "number one." The wretchedness of the Indian Ryot is enhanced by the exacting demands of these money-lenders who are always a source of oppression and terror to the poor cultivators. How can agriculture prosper when those who are daily employed in toiling after this useful art are miserable? We know that one of the chief sources through which the stream of prosperity flows in a country is the fertility of its soil and the contented life of its cultivators. No doubt the state of the weather greatly influences the soil and the condition of the ryots. Very often before

the breaking up of the monsoon both the rulers and the ruled with anxious eyes and desponding looks watch the changing aspect of the deluding sky and the overburdened ryots in utter desperation lose all energy and bodily vigour to support themselves under a series of misfortune. In the face of all this it is a matter of extreme regret that no steps taken by the light of European science, no means pointed out by English intelligence, and no ends achieved by English pluck have up to this proved satisfactorily successful in removing the ryot from a state of extravagance to that of thrift, from primaeval rudeness to modern culture from helpless destitution to cheering hopefulness. Uncertain rain has ever been the cause of worrying anxiety to the ryot, exacting demands of merciless creditors have been the source of his unhappiness and slavish toil day after day has been the only means of sustaining barely his life. He by dint of sheer industry and dogged perseverance compels the stubborn earth to yield plenty for the food of mankind, but he himself, poor wretch, often goes hungry. As a patient devotee of this primitive art which was the sole occupation of our great forefathers, as an indefatigable toiler for the support and sustenance of the human existence, as a pitiful victim of incomprehensible fate, of the inclement sky and of the selfish, sordid and money hoarding propensities of hard hearted creditors the life of the ryot depicted in whatever form will not fail to be instructive and interesting. The best of English energies and the highest of abilities are continually directed in finding out and grappling with the evil which hourly haunts a cultivator's life. But the chief problem is how to remove the pressing burden which weighs down the ryots' head, how to awaken his dormant faculties, how to train him up so as to make him appreciate the advantages accruing from the application of science and art to the bettering of the impoverished Indian soil,

how to make him boldly face the depressing influences of the oft recurring droughts, how to prevail upon him by convincing arguments and soft persuasion not to squander away his hard won earnings in ridiculous religious ceremonies and rites, and at last how to secure him from the grasp of the blood-sucking creditors remain yet to be solved.

Credit is due to Sir Richard Temple in taking important measures in furthering the interests, and ameliorating the condition of the wretched cultivators. In his able minute on the Agricultural Education in the Bombay Presidency he has dwelt particularly on the means that should be adopted to render agriculture one of the branches of useful and technical training through the medium of agricultural colleges to the people of India. Thus to place within the reach of the natives and those especially who are cultivators by avocation the facility of learning a very useful art which may help to be profitable in after life. The establishment of an Agricultural college at Poona is a great boon, but Guzarat as an agricultural province also needs such an institution and manifold would be the advantages that might result therefrom.

The Government of Bombay would do well to follow the example of Madras where useful modern ploughs have been introduced by the Director of agriculture, Mr. Robertson. Such ploughs are used in the Government model farms in this Presidency, and by the mission colonies in some parts of Guzarat, but no cheap plough has yet been found fit for ordinary use. The Agricultural Committee at Neriad in the Kaira District have shewn a good example and have distributed some improved Agricultural machinery among the cultivators of that collectorate. This Committee was founded by Mr. Sheppard late Col.

lector of Kaira, and now Commissioner of the Northern Division, and has shewn much public spirit which other places might well imitate. The Madras plough is a light iron one, sold by a Swedish firm at the low price of 16 shillings. The Madras ryot has been coaxed into using it. The consequence of it is that it is used in large numbers now among the Madras Peasantry.

Again we are happy to find General Angelo cultivating the Hissar Farm on an improved plan. He was at first surprised to see the cultivators in India resorting only to the primitive plough of the country. He accordingly set to work and made considerable improvements in the Old Plough. He saw that while the old plough used to turn up only 4 or 5 inches of earth and when the ground was hard only a stroke could be seen, his improved plough cut very nearly 12 inches deep. The number of bullocks employed in each instance was the same. The cost of the new plough came to only 4 or 5 Rs. The usual plough employed by the Indian cultivator is a wooden implement of pathetic simplicity. It is ingeniously constructed so as to disturb the soil through which it moves as little as possible, and give the ploughman as much unnecessary work as possible. The undersized bullock that is roped to one end and vociferously urged to proceed by much twisting of tails and personal calumny, could run away with it all over the field; but the ploughman hanging on to the other end and lending all the weight of his body to it, acts as a serious drag, and thus both man and beast toil twice as hard as they need the ultimate result being a mere scratching of the surface not worthy to be called a furrow. By way of experiment the General broke up new land to the south of the farm and sowed it with sorgo in drills. 26 inches apart to admit of easy weeding with about 12 seed to the foot on an average. After the sorgo had attained a height of from twelve

to fourteen feet the first cutting took place before a large gathering of the cultivators living in and around Hissar who had been invited to witness the process. Before the cutting began the General in a lucid manner pointed out to them the advantages of deep ploughing and thin sowing. The improved plough was also exhibited and it was admitted by many of the cultivators to be a decided improvement upon the old one. After this, all present were taken into the sorgo field where about two biswas were cut and the green fodder weighed about 40 maunds or 1600 lbs. per Biga, the quantity of seed sown in a Biga of ground was about 2 seers. The Zemindars admitted that it would require from ten to twenty seers of Jowaree per Biga on well irrigated land to give the same yield, and they were convinced from what they saw before them of the advantages of thin sowing and deep ploughing. On the whole the experiment proved a success. The same sort of experiment should be made in different parts of India in order to give some idea of the improved implement of husbandry to the rude cultivators who so tenaciously adhere to what is handed down from their forefathers. The native of India is by no means indifferent to his own interests; but these must be served by means that are in sympathy with his tastes and sentiments. He exists as a rule, so dangerously near starvation, that speculation in any novelty represents a very serious risk. But to bring about the result sought after, both the Government and the people should go to work in right earnest. In governing their subjects the native princes of India are not the less responsible for the prosperity of their states than the paramount power is of the Empire. As a preventive against constant recurring famines and droughts the native chiefs ought to be guided by certain fixed rules as to assessing cultivated and waste lands coming within their domain, and as to giving special encouragement

to capitalists to work in the way of developing their countries. But for the people of India of sedate habits and conservative in views there needs some one to guide them, to arouse them and actually to push them on. This can only be best accomplished by an English capitalist who if once has been successful in showing the benefits of his enterprise many natives of means and large capital are sure to follow him. For the one great want of India has been that English capital guided by English energy and genius should vivify and fructify the great resources of the land. This is almost the only hope of raising the production of the country to a point which should be sufficient to maintain its vast and teeming population. Scarcity of water in different parts of India has always been a great drawback in the way of encouraging the agricultural art. To meet this great want works of irrigation on an extensive scale are necessary. The advantages of irrigation works are obvious. In the time of drought they save human life, they save loss of revenue remitted, and the outlay incurred in costly measures of relief. Of the value of irrigation works in mitigating the evil of drought there have been forcible evidences during the past quarter of a century. In 1837 the North-Western provinces were smitten with famine and about a million of people died from want of food. These provinces were again afflicted with famine in 1861, and two hundred people died. In 1867 the same region would again have suffered from famine, but the Ganges Canal and the railway turned a drought into a scarcity. The waters of the canal caused large tracts of land which would have been sterile to bring forth plentiful crops, and the railway also brought food to the starving people. What would have been a famine became merely a scarcity.

After one-third of the population had perished in Orissa from want of food, the Government of India

began to stir themselves in earnest to construct canals. Schemes estimated to cost thirty millions were planned, and the Government proposed to spend one million six hundred and fifty thousand in 1869-70, two and a half millions in 1870-71, three millions in 1871-72, and after that four millions a year on irrigation works. The sum actually expended on irrigation works from 1867-68 to 1877-78, inclusive, amounted to a little more than ten millions. The expenditure on famine relief during the same years amounted to no less than sixteen millions sterling.

During the past quarter of a century the rulers of India have not always remembered the wise words of Mr. Laing "India" he said "has two great wants—irrigation and communication"—"I do not mean," he added "grand schemes only which strike the imagination so much as village roads and village tanks and water cuts, which enable every rood of ground to grow its crops and send it to market. The promoters of great public works are too apt to sacrifice local welfare to general improvement and sometimes the general improvement turns out to be the opposite of improvement. It is true the smaller interest must give way to the greater. The interest of the individual must give way to the interest of the public. Yet it sometimes happens that these smaller interests are cast aside with less attention than they deserve. For instance, if the communication with main centres is improved by railways the immediate local communication very often changes for the worse."

In the whole of India the extent of land that is under cultivation is 19,72,50,000 acres of which 2,92,20,300 acres of land is cultivated by the instrumentality of irrigation. Irrigation has from time to time saved several thickly populated parts of India from utter destitution. In 1873-74 at the time of the great Bengal famine the irrigation work of Sonm

though not completed yet saved 6,00,000 lbs. of rice from destruction in a time of famine. In the famine of 1876 and 1877 in Madras the irrigation works of Godaveri and Krishna produced 50,00,000 lbs. of rice. From the above examples we can clearly perceive the vast importance and value of irrigation works. It is satisfactory to find that Government have not been forgetful of this pressing necessity. They have all along tried their utmost to secure such works for the general prosperity of the country because they see that private capital cannot cope with this difficulty. As Sir Richard Temple rightly said "The Government capital will be utilised largely for purposes of irrigation and we who have lived in India can never do wrong in keeping the claims of irrigation constantly before the public of England and the Government of India and more particularly as experience shows that this is a matter which the private capitalist cannot conveniently compass. Several Irrigation Companies have tried, and have not succeeded, and thus the most important means to the material improvement of India, if attended to at all, must be taken in hand by the Government." To take a comprehensive idea of the importance and usefulness of irrigation works I could not do better than refer my readers to the result of the Parliamentary Committee on Indian Public works the sittings of which commenced at the beginning of March 1878 and were brought to a close in April 1879. The Committee were formed of statesmen and politicians who have all along taken the most active interest in Indian affairs. They were Lord George Hamilton, Mr. Fawcett, Mr. Ayrton, Mr. Grant Duff, and Sir George Campbell. Now among the items of exports to Great Britain in the shape of agricultural products of India wheat stands prominent. The supply of wheat from India to England is a question of great importance. In this matter of supply India is always in a fair way

of competing with America. The cost of raising wheat in India is less than the cost of raising the same produce in America. The quality of the Indian wheat is considered excellent by the English baker. Again freights for carrying wheat from Calcutta to England is lower than from San Francisco. According to the estimate of the Government of India the present area of wheat cultivation in the Indian Empire is 19,329,200 acres yielding from 8 to $13\frac{1}{2}$ bushels per acre. By improved methods of farming the yield could, it is stated, be increased to from 28 to 32 bushels per acre. What is then that under so many favourable circumstances prevents the wheat trade of India outstripping that of America as regards its export to Great Britain! It is the want of free and easy communication by railways in all wheat growing districts. Besides the extension of railways with which we have to deal in this paper a little further on decided steps should be taken to render the wheat produce of India more conspicuous in the market of Great Britain both on account of its quality and size than that of America or any other part of the world. There has lately been an important move in this direction and it has met with success. At the request of the Chamber of Commerce of Bombay the Government of the Bombay Presidency has allowed Rs. 10,000 every year. This sum is to be expended in providing all necessary information about wheat to the wheat merchants, in supplying the cultivators with seeds of excellent quality free or at a nominal price and in instructing them as to the best modes of producing wheat of superior quality. Mostly in accord with the above project the writer of a valuable pamphlet named "Indian wheat *versus* American Protection" suggests the following means to stimulate the production of wheat all over India:—

- (a) To impress on the headman of every village in the wheat growing districts of India,

the necessity of using unmixed seed, and the advantages of growing the best description of wheat the climate and soil of the district will permit.

- (b) To furnish all cultivators with seed of the very best quality by making arrangements at the principal centres for the exchange of average parcels of wheat of equal weights of selected seed, an expert being had out from England especially for the purpose of selecting, collecting, and distributing the best seed grain procurable.
- (c) To have always on view in the principal markets samples of the different classes of wheat recognised by the English trade to enable natives to better classify their stock, and to judge of its fair market value.
- (d) To send daily to all the principal wheat centres in India telegraphic advices of the prices ruling for the different descriptions of wheat both in London and at their nearest seaport.
- (e) To hold small District Agricultural Exhibitions as often as possible, at which prizes would be given for the best food grains and other agricultural produce exhibited.

If all that we have been able to state as regards wheat or any other similar agricultural industry were adopted by the Government and the enlightened and educated portion of the vast population of India there could be no question that it would result in incalculable benefit to the country.

Let us now turn to the other important branch of the subject of this paper. No one will deny that the chief prosperity of India lies in the construction and extension of its railways. India would never

had reaped the incalculable benefits of free and easy intercourse and of the development of trade if railways were not long since introduced by its kind rulers. But the benefits that India at present reaps are not enough. The greater the extension of railways the greater is the advancement of the country. The fact of the railway companies not realising very satisfactory interest is amply compensated by the progress the country has made as regards its trade and commerce and the facility the country has derived at the time of famines and other calamities of saving the lives of its immense population. The Indian railway question does not lose its importance. Great deal up to this has been done in the way of opening up the country and much still remains to be done. Indeed much has been done by the State and much more has been already accomplished by Guaranteed Companies. The principal of the guaranteed Railway companies are the East India Railway, Great Indian Peninsula Railway, and the B. B. and C. I. Railway. The Sind, Panjab, and Delhi Railway and the South India Railway. The construction of Railways on the guaranteed principle was commenced in 1851 and is still in progress. Although all expenditure on guaranteed railways is under the control of Government that control was found to be not sufficiently strong as to make the companies observe economy in the construction and management of railways. Latterly the Government finding the payments from Indian Treasuries for making up the guaranteed rate of interest constantly increasing and this continual increase a charge on the Imperial revenue modified the conditions of guarantee for future railways in such a manner as to keep in check the extravagant propensities of guaranteed companies. Government and the people equally feel the necessity of pushing forward Indian Railway construction to the utmost. But the Endeav-

vours to raise money for the purpose have not met with success. Money could not be raised in England for Indian Railways without Government Guarantee. The construction of Railways is a subject which has always drawn the attention of private capitalists to invest their money. But they also require the assurance of men of experience and authority that all the Railways which remain to be made shall be constructed in an economical style. The objection to foreign capitalists is that the revenue of the Railways is carried away from the country, but this will remain in India if the country is to have the benefit of private enterprise and due encouragement be given to private capitalists in India. The people of India ought not to rest content with what Government and foreign capitalists have done and have been trying to do, but they must by private enterprise and capital undertake the all important task of developing the country. Just as many private railway companies in England working on cheap and economical style reap good harvest so private companies in India following in the footsteps of the capitalists of England will derive great benefits both for themselves and for the country at large. Although the quickest way of developing the Railway communications of India is through the employment of private capital, only 455 miles of line are at present under construction by private companies without guarantee.

While speaking about the relation of railways to the State Mr. Vose very adequately remarks :—" In construction want of system leading to unnecessary outlay; while gaps are left which it would be for the interest of the community to fill up; since local lines which are not likely to bring additional profit to shareholders might often pay their own expenses and greatly benefit the districts. In respect of management, again, so long as the separate companies are fighting each other for traffic the public loses by the incoher-

“ent organization of its railroads, through difficulties
 “of through booking and imperfect correspondence,
 “probably more than it gains in cheapness by competi-
 “tion.” He concludes “that where the work is likely
 “to be done by Joint-Stock Companies if Govern-
 “ment does not interfere it should be left to the
 “former during the first and more tentative stages of
 “the undertaking and even that private enterprise
 “should be encouraged by concession tolerably liberal
 “as to charges &c. for a limited period, but that the
 “ultimate interests of the community should be
 “secured by giving the Government the rights of
 “either freely reversing the changes at the end of
 “the period or taking the business entirely into its
 “management on the payment of a fair price for the
 “material capital employed, but without any extra
 “sum in consideration of actual or expected profits.”

Among native princes we find several intelligent and enlightened rulers who have the real interests of their subjects at heart and who are ready and willing to imitate the Paramount power in developing the resources of those parts of the country which are under their direct control. The Nizam and the young and hopeful prince of Baroda assisted by the able prime minister Cazi Shaboodin are very prominent examples. The very important subject of constructing and extending railways in their respective states should always be brought prominently before their eyes by their English protectors. They should further be impressed with the great advantage that would accrue to them if easy communication between their countries and the principal seaports in India were made by the development of railways by their money.

The work of further extension of railways in India is retarded by two causes. The Government complain of the heavy charge on the Imperial revenue

and the private capitalists are afraid of investing their capital unless they are assured and secured by men in authority and by Government Guarantee. The writer of a valuable small pamphlet on Indian wheat versus American Protection suggests the following plan under the circumstances. "Possibly the best plan open to Government would be to make over the control of ~~all~~ the railways to a large board of Railway Commissioners, consisting partly of officials partly of merchants, bankers and others interested in the trade of the country, the native element being largely represented. The proceedings of the Commissioners to be perfectly public. To the Commissioners would be made over yearly a fixed sum of £2,000,000, or whatever might be safely spared from the ordinary revenues, and the Commissioners would be empowered, subject to the sanction of Government, (a) to borrow any railway loans they thought fit on the condition that the net loss on the whole of the loans taken severally was not to exceed the annual sum made over to them; and (b) to make arrangements, either by the agency of private companies, or by the Government Engineers for the construction of all railways required. The net earnings of each line to go, as far as they would to defray the interest on the capital expended on that line; the surplus profits over interest, if any, to be made over to Government to reduce ordinary taxation, while the loss, if any, should be made good from the annual sum made over to the Commissioners, the balance remaining in the hands of the Commissioners at the close of any year being applied either to reduce the railway loans or to reduce the general taxes as might be considered the most advisable.

• Every body acknowledges the fact that under the peculiar circumstances of the vast continent of India Railways are extremely serviceable when in years

of drought and scanty rainfall irrigation works become useless. They are at all times effective in carrying food grains to the afflicted Districts from those of plentiful harvests. In the last famines of Madras and Bombay the value of Railways was highly appreciated. The G. I. P. Railway imported large stock of grains from Behar Bengal and Northern India.

Some of the railways as ~~for~~ instance the line from Bhopal to Jhansi and Cawnpore proposed to be undertaken by the G. I. P. Railway or the rival line from Godra to Rutlam under the management of the B. B. & C. I. Railway and also the line from Rajpore to Barrackpore opening up the country between Bombay and Central India, and Calcutta, and Central India if constructed speedily could not fail to be a profitable source of income both to Government and the people. There are besides several railway projects now in contemplation. It is said that both the plans and capital are ready. Again it is said that Government has funds necessary to give a stimulus to capitalists. Government is convinced that the investment of such fund has paid well in the past and promises to do so in future. It is not wanting in energy or spirit to give districts in India teeming with people the means of carrying off their surplus produce. The following are eloquent remarks of Mr. Forbes Adam the chairman of the Bombay Chamber of Commerce made in a general meeting of the Chamber held for the purpose of considering a memorial to the Government of India with reference to the general policy respecting railway extension in India "The
 " prosecution of railway extension on a large scale
 " claimed the support of Government as it would
 " swell the land revenue, telegraphs, and stamp receipts and give security against famine. It spoke
 " to the sympathies of military men, because it would
 " facilitate the movement of troops to meet the
 " enemies of their country, from whichever side they

“ threatened. It enlisted the approval of merchants,
 “ bankers, brokers and manufacturers because it would
 “ augment the value of trade; of lawyers and all pro-
 “ fessional men because their high and useful services
 “ would find a place where commerce flourished, of
 “ those interested in education of the poor, for what
 “ greater assistant could they have in spreading in-
 “ telligence knowledge and enlightenment than the
 “ locomotive, of philanthropists and missionaries. of
 “ all denominations, because new fields would be pre-
 “ pared for the exercise of their benevolence and un-
 “ selfish labor.”

The local authorities in India are keenly alive to the importance of opening out communications. With all this it seems that the Government of India is powerless to carry out the measure so vital to the well being of the empire. What is the cause of the delay then; We look for it to the Home Government on the score of economy they refuse to develop a railway system in India. What kind of economy must it be which does not give support to a system which not only pays well but enables the extensive country to bear the burden of all calamities and difficulties created by recurring famines and draughts. For the million square miles of the country only about ten thousand miles of railway have been completed during the last twenty-five years. The Railways in India began in 1853.

In 1860— 836 miles of railway were opened.

In 1870—4,833 miles were opened.

In 1880—9,875 miles were opened.

This work is nothing looking at the cheapest labor we could get in India. The great deterrent to the wide extension of railways is the marked absence of petty economies and the extended employment of expensive European labor in the place of the cheaper

labor of the country. The other great obstacle in the way of the development of this very valuable resource is the change of railway policy. The first was broad gauge railways constructed by companies under a guarantee of 5 per cent. The second was the metro gauge state railway constructed by Government, and there are pointed out from time to time many objections to the latter system which it is needless to discuss here. The Brothers strachey who sway the India office always give an uniform answer to the question of the construction of railways by vociferating that there should be narrow gauge or no railway at all in India. I cannot at this moment but draw the attention of those who are very much interested in the railway system in India to the most valuable "manual for Rail-road Engineers" by George S. Vose, Professor of Civil Engineering, Bowdoin College. Talking about narrow gauge railways the professor says "The capacity of the narrow gauge roads has been based upon the fallacy that an exceptionable traffic affords a rule for estimating the capacity for the ordinary kind of business. Because certain small narrow gauge cars have hauled a large weight of compact mineral, it is assumed that the ratio of dead to gross load would be equally favorable in transporting the mixed freight commonly offered upon railways, much of it of great bulk but of little weight. Under the same conditions of traffic the capacity of narrow gauge roads is inferior to that of the wider roads. The general experience of railway managers both in Europe and America has been in favor of increasing the weight and decreasing the number of trains. Upon the narrow"

" gauge roads precisely the reverse must be done." Again he says as to the break that occurs at the connection with lines upon the wider gauge. " The break of gauge, for the amount of traffic which a branch or a line of small traffic would have, is not objectionable. Since the saving in interest on first cost more than balances the cost of transshipment. Upon a first class road or where the business is larger the cost of transshipment will exceed the saving by interest, and the break of gauge will be objectionable." Speaking about transshipment Mr. Vose says. " In regard to certain classes of freight the narrow gauge car bodies might be transferred from their own wheels to the platform of the wide cars; and although this would involve the hauling of extra dead weight, it might be cheaper than to break the bulk, grain in bulk, coal, iron ores, &c., need not be handled but may be dumped or dropped from suitable waggon as in the case of the coal cars in common use." We hope these valuable suggestions will be taken into consideration by the Government and will be put to test by Engineers in India.

Now the question of filling up the country of India with a net work of railways is principally beneficial to the English manufacturer and merchant. Because by an easy and cheap communication in India the price of wheat which is the chief produce exported to England would be so reduced as to render the American wheat trade quite unable to compete with it. To bring into open markets of England and the world the wealth of the agricultural produce of India, all that is required is cheap communication between the interior district and the coast. It is worthy of consideration whether cheap tramways might not in some Districts where road making is very costly, take the place of road and rail. There are instances in which roads have cost almost as much

as light Railways, and are still not sufficient for the requirement of traffic. Tramways are now being introduced into Northern India, and for short lengths of road where Branch Railways could not be expected to pay, such tramways might be most valuable, and would cost less to construct and less to maintain than roads when metal is difficult to obtain. The author of Indian wheat versus America. Protection is of opinion that the development of India chiefly rests with England. He says, "In all matters connected with India, improvement must come from without. The question of the development of India by cheap communication is really a home question, and can be dealt with properly only by those whose interest it is to push it forward. My object will be gained if I have shewn how directly the English trade is interested in the development of India, how, by giving India the benefits of cheap communication, she could so affect the price of wheat that the keener competition thus caused would force the western farmer to consider the ruinous effect of the present protective duties on the prime cost of all his agricultural produce; how the opening out of India would tend to the reduction or removal of the duties that now so seriously restrict the exports of English manufactured goods; and finally, how greatly the diversion of the English wheat trade to India would increase her consumption of iron and cotton goods. Were the Railway system of India properly developed, the very depreciation of the rails would cause a very material annual outlet for Iron from England."

The different Chambers of Commerce in India are not forgetful or remiss inter alia in the proper discharge of their duty towards the communities as regards the railway system in India. The Bombay Chamber of Commerce has lately taken the lead in

the matter. It has strongly brought to the notice of Chambers of Commerce of London, Liverpool, and Manchester the all important subject of the extension of railways in India, and the great necessity of exercising all their influence with the Home Government of making it invest more money for the development of this very useful and valuable resource of India's welfare. The Chamber has further impressed her sister Chambers in England with the fact that the narrow gauge system in India is a great mistake. It is gratifying to find that the Glasgow Chamber of Commerce has forcibly represented to the Home Government the great necessity of railway extension in India. The English papers in England should handle the subject and make it an important topic of the day seeing that the great good it is likely to do to England in its commercial relation with India. This subject so attracted the attention of the Home Government that it was some time ago stated authoritatively that Mr. Cross, the under-Secretary of State's announced visit to Egypt was to consult Sir Evelyn Baring on the matter, and it was the sanguine expectation of all concerned that our late Finance Minister's liberal policy with respect to the extension of the Railway system would be adopted by Mr. Cross. It is a matter of regret that the ill-timed and foolish motion of Mr. Stanhope in the House of Commons has been instrumental in breaking the determination of the Home Government that the annual outlay on public works now fixed at $2\frac{1}{2}$ millions should be increased to $3\frac{1}{2}$ millions. No doubt our kind and benevolent rulers have done much, and much more will be achieved by them as favorable opportunities offer themselves, but the development of this system now mainly depends upon the enterprise of daring private capitalists. This point is not lost sight of by Government themselves. More than five years ago the Famine Commission speaking on the subject

of the extension of Railways said :—" It is beyond our
 " province to discuss the question whether the provi-
 " sion of the requisite capital may be best secured and
 " the construction of railways carried on by direct
 " state action and through private companies. But
 " we may remark that there would be a manifest
 " advantage in giving full scope to the extension of
 " railways by private enterprise if it were possible
 " and though the original form of guarantee had been
 " condemned it may not be impossible to find some
 " substitute which shall be free from its defects.
 " Also, although the steps taken by the Government
 " with a view to offering facilities for the extension of
 " railways where a proportion of the necessary capital
 " is subscribed locally have not been effectual, great
 " advantages have been gained by interesting local
 " communities and capitalists in making investments
 " in works of local public utility and we trust that
 " the plan may be further considered and if possible
 " brought into practical operation."

This is a period of action and work in right earnest. We cannot afford now to wait. The existence and prosperity of railways mainly depend upon commerce, and the welfare and prospect of commerce depend upon the productive power of the country. Thus agriculture and Railway are closely united together and depend upon each other's support and existence. The work should be divided. The development of the country by agriculture should rest with the Government and by Railway with the private capitalists. But in order to accomplish this Government should give facilities to undertake this arduous and hazardous task, should enter into easy and possible conditions with private capitalists. If facilities were offered many private capitalists from England would venture to undertake this task in India. It is one of the functions of the East India Association to always move in the matter by making constant repre-

sentations to Government at Home and thus by constant application snatch from the unwilling and very cautious rulers the consent to co-operate in the work of the general development of India and of railways and agriculture in particular.

NUSSERWANJEE SHERIARJEE GINWALLA,

BROACH, 1885.



Is a new and more stringent Factory Act required for the regulation of the Mill Industry of Bombay?

This has become the important question of the day. And there are always two sides to a question, one of which as represented by the Government of Bombay and some stray organs of the Press on this side of India is that there is still room enough for fresh legislation on the subject particularly as regards women and children, while the supreme Government and other administrations, the local Chamber of Commerce, the Mill-owners' Association, and the majority of the leading organs of the Press of this Presidency—both Native and English—are inclined to think that there is no necessity at present for a new Factory Act here. Without laying myself open to the charge of dogmatism or presumption I would like to submit a simple matter-of-fact proposition for the consideration of my readers. In the first place, I say, that there is not and never was any necessity for any kind of legislation on a subject of this nature. The Act now in force and the one in contemplation are altogether uncalled for and premature at the present stage of the Mill industry in India. When a paternal Government out of a pure spirit of philanthropy and beneficence proposes to set in motion the steam-hammer of legislation one is naturally prompted to question, who asked for the Act? If the Government has determined to legislate under any circumstances and at all hazards let them do so, but I ask "cui bono"! to whom is the Act intended to do good? To the Mill laborers?—if so it remains to be seen that it will do so, and in their case the remedy might

prove worse than the disease—, to the Mill-owners or to the Government? Certainly not. I think that it would be wiser and better in the long run to let this Act alone and to let a rising industry prosper and strike deeper root in this country. It is hardly strong enough to stand on its legs when up comes the Government with another Act against every one concerned in the Mill industry. I think with many others that this is purely a matter of agreement between the employer and the employed. Neither have been heard or known to agitate or petition the Government or to lift their voice for any kind of legislation on their behalf. It may be urged that the voice of the laboring class is too feeble to be audible outside the walls of the mills where they daily labor or of their humble homes. But can it be believed for a moment that in these days of discussion the voice of such a large mass of the people as the laboring classes has remained unheard or neglected since the rise of this industry in this Presidency. There is now a Factory Act which is good enough for all present purposes. This is not the proper time to thrust a new and more rigorous Act down the throats of Mill-owners and their laborers. If another Act is at all to be forced upon us let it simply be a modification of the present one to this extent and no more. Let the Mill operatives be the sole judges of the length, value and mode of their daily labor—let alone the men and women as far as their hours of daily labor are concerned—and legislate for the children; but protect their health, morals and lives by all means if you think these are endangered and let the special legislation as regards children be judicious and protective rather than preventive and obstructive. I am firmly led to believe from personal observation that the mill laborers as a whole are not so badly off as most of the sentimentally philanthropic gentlemen in and out of Government have given us to understand.

At a time when another rigorous Factory Act is hanging like the sword of Damocles over our heads, when a Commission appointed at the instance of the Government of India, consisting of Messrs. Cotton, Blaney, N. B. Jeejeebhoy, S. S. Bengalee, M. C. Muruzban, and M. Banajee under the able presidency of Mr. Mulock has finished its work, and when its report is anxiously looked forward to by all interested in this country, a few remarks from one who has better and more frequent opportunities of watching the life and condition of the work people of several parts of Guzerat and Kattyawar where this industry is now in full operation, will not, I hope, be found out of place, but rather add to the interest felt by a large class of the people on the subject in and out of India. There are some public-spirited citizens of Bombay who have of late taken great interest in this matter. Dr. Blaney, a very useful citizen and well-known medical man who is known to handle matters municipal and sanitary to the satisfaction of many has strongly expressed himself in a letter to Mr. Shapoorjee Sorabjee Bengalee on the subject (which was subsequently published in a leading English daily in Bombay).

The worthy Doctor in the very first paragraph of his letter says that he does not attach much importance to the opinion of mill agents and mill-owners who are all pecuniarily interested in the local mill industry. This, I say, is doing them sheer injustice. No one can better inform the public or take a more active part than the mill-owners and agents themselves, in the discussion of a subject which has been thought so important to the interest of the vast mass of work people in India, and in the effect it may have for good or evil upon the present and future generations of the thousands of souls who depend upon mills and factories for their daily bread. There are many intelligent and disinterested persons in the Mofussil who have been at some pains to think about the subject, and it has parti-

cularly come within their observation in several parts of Guzerat and Kattyawar where the working of mills and factories can be seen and studied to advantage, that twelve or thirteen hours' daily labor instead of producing any deadly effects upon the health and constitution of the work people having regard to the fact of from eight to ten hours' rest and entire cessation from work hardens and strengthens their limbs and bodies, renders them more active and zealous and pays them better. From what I have personally witnessed of hundreds and thousands of work people in Guzerat and Kattyawar I can boldly assert that long hours do not at all tell heavily upon their health and constitution as has been authoritatively asserted by Dr. Blaney and those who conform to his views. With all due deference to the learned Doctor's long and varied experience especially of native life and manners it can safely be said that a mill hand or a day laborer is not really so forlorn and friendless a being as he would lead us to suppose. His is a hard lot—no doubt—but at any rate not harder than that of the millions of his fellowmen who may with perfect truth be said to have been born to labor, to labor, and to die. Life in this world is but a series of rest and labor, and no pains, no gains as the saying goes. It is the law of nature which obtains all over the world. The only difference there is in the various kinds of labor seems to me to be confined to the nature and amount thereof that each one has to undergo according to his physical capacity, and the degree or station in life he occupies. One must take the world as he finds it, and make the best of his lot. Take the case of the mighty Government itself. It cannot be denied that they could not afford to feed thousands of hungry mouths without any recompense for such feeding even during such exceptionally hard times as famines when it becomes the duty of Government to save the lives of millions of its subjects from starvation and death at any price.

What with short rations and starvation-wages Government have often found themselves unable to cope with the wants of vast masses of the people. Even at such times I say that the powerful and wealthy British Government force as much hard labor as they can out of the hungry half-naked dying souls who have hardly any vitality or strength left in them. They employ these feeble starving wretches on Railway and other works of public utility for a miserable pittance. Out of a feeling of common humanity these men should be fed at the expense of the state and spared any kind of hard labor. When Government cannot afford to do this with all its plentiful resources, how can the millowners be asked to pay for the labor of mill hands without having their money's worth out of them in ordinary times when a laborer can provide himself with every necessary of life only if he has the means of doing so. In matters of private enterprise like the Cotton Mills of Bombay, Government might well refrain from playing the despot, and from all unnecessary interference with the private rights of the people. If the millowners and their laborers are well satisfied with the present state of things, and if the one or the other of them do not desire to have any kind of legislation regarding their own affairs and private interests it would surely be wiser and better on the part of Government to steer a middle course or to remain perfectly neutral in the matter. I have reason to believe that more men have died or are dying every year from hunger and starvation than from hard work or overwork about which Government knows little and cares less to know. It is nothing short of maudlin sentimentality or officious philanthropy to make laws as regards a class of men who are quite able and willing to work harder and longer so long as they are liberally paid for it, and have nothing to say against it. Most of these labor-

ers live in small groups or little colonies of men, women and children, and even the poorest of them can afford to marry. Sometimes there are a number of others, dependent upon the family, all living together. When going to work the man leaves some one at home to look after his domestic requirements, to cook his food, and generally to assist him and make him comfortable after his day's work. All his hopes and wishes are centred in the one great object of his life—hard work and good wages. By working long hours he is able to improve his condition and to do more good to those about and around him. Viewing the matter in this light, it is difficult to imagine how long hours can have the least prejudicial effect on the health of the work-people. No material change for the worse can be detected in the mental or physical condition of those who work thirteen hours at a stretch than in those who work only ten hours a day. On the contrary so far as I am aware a marked change for the better has made itself perceptible in the circumstances of those who work longer hours. They are comparatively speaking better clothed, better fed, and better housed, and are on the whole a healthier and happier lot of men than those who work short hours. The above remarks apply to men and women laborers of mature years; but as regards those who are under their teens Dr. Blaney's views certainly hold good. Every reasonable man must be dead against the idea of the children of such tender age being over-worked or hard-worked. Some work of a light and unexhausting nature for boys and girls of the age of from ten to fourteen years should be given, and such light work can easily be found for them in any mill. To come to the question of the education of the children of mill hands it must at once be admitted that some kind of useful education for them is all that is wanted. It should be of primary and practical description; a higher standard of

education in the case of these children of toil might be an encumbrance, possibly a curse to them instead of any help, it ought to be. Their education should be confined to the knowledge of three arts in their own vernacular and to matters of use in every day life which in the common affairs of this world serve as a safeguard against fraud, falsehood, cheating and roguery. I will have occasion to refer more at length to this point when I come to the question of protecting the wages of the mill hands from the grasp of rapacious, wily, and unscrupulous Mawarees and others. The education given to the children of work people should be such as to enable them to shine and be of use in the humble sphere allotted to them by Providence and to make themselves hardy, robust, healthy and serviceable and kind and good to their family and people. In their case ignorance would be real bliss and it would be madness to make them discontented and unhappy by any over-education. If any radical measures are to be adopted by the Government in regard to this industry tending to its enfeeblement or extinction it would be nothing short of a calamity to the work people and their employers. The number of mills in Bombay and in different parts of British India is steadily on the increase year by year, not to speak of the cotton mills that are springing up in many of the native states. As this industry is still in its infancy it behoves the Government to carefully watch and nurture its growth. It may in time to come prove a source of maintenance to large masses of the poor subjects, and Government will have gained in the end by encouraging it rather than by unnecessarily hampering or obstructing the same. In these times of famines and heavy taxation the poorer classes do not care to undergo an hour or two's labor this way or that; hence Government will earn the real blessings of the work-people by abstaining from any kind of sentimental legislation on their

behalf which would be tantamount to killing them with kindness. If the Government of India has really at heart the well-being and amelioration of the condition of the laboring poor, the best thing it can do is (leaving aside Factory Acts) to set about opening many similar profitable and useful industries and other sources of maintenance for helpless, penniless, and toiling masses of the vast population which it governs. It is easy enough to advise and easier still to sit in judgment upon the vices and virtues of the people who own our sway, but it is much more difficult to do good by solid deeds than by soft words and to carry out in practice what we preach. It may all be very well for Government to frame acts and for philanthropic gentlemen to make fine speeches, and write gushing letters, to the newspapers, to appoint commissions to make long specious reports upon the present state of mill labour, but it is rather a hard nut for them to crack when they are asked point-blank how the masses of people are to live and what means and ways are open to them to make their daily bread even by dint of the hardest labor? Most of the ever changing and fast accumulating legislation of the present day is of an experimental and practically worthless character, and it would be far better for all concerned if the people were shown their way to earn an honest living than have given them tons and tons of reports and commissions on all kinds of subjects on earth or in heaven; in fact what the people want is more threepences and less hard dry ill-advised laws. You must live and let live. Now the evidence given before the commission in Bombay might possibly be called by the advocates of the New Act a mass of conflicting and interested statements to a greater or less extent. These misguided friends of the poor might be led to say from the tone of the evidence of most of the witnesses who appeared before the commission that they said things which might suit their

own or their master's interests and purposes and had set their faces against any kind of legislative measures for the laborers in their mills. Most of the mill-owners, their managers, and subordinates were decidedly against fresh legislation not to say any legislation at all or any kind of interference with their private affairs. I do not want to be understood to say from this that the mill-owners and their work-people might be left to their own sweet will and pleasure in a matter of this kind, but the chief proposition I would like to suggest for consideration and adoption by the Government can be briefly summed up in a few words. Let the Government legislate by all means to protect the operatives from the evil effects of dust, fluff, bad smells, sizing, defective ventilation and from a suffocating and exhausting temperature in mill buildings; let them compel millowners to keep regular and truthful registers of the ages of women boys and girls; let them guard against all kinds of accidents and injuries to the operatives by non-fencing or defective fencing of dangerous machinery or by prohibiting them from cleaning machinery while in motion; let them protect the hard-earned wages of the operatives and their children from the rapacity of Marwarees and others; let them compel the millowners to educate the children of mill operatives as pointed out before during a certain number of hours daily; let children of a certain age only and of sufficient physical fitness and capacity (as ascertained and certified by responsible Government officials or surgeons for a nominal fee), be employed in mules; let a certain number of days be fixed as general holidays in the year for men women and children, and let Sunday be a close holiday under any circumstances except as to men who may be required for an hour or two for some light work, such as cleaning machinery, &c.; let there be a free allowance of full time or half time wages among children and grown up boys and girls

according to their age fitness and strength for work ; let the age of children be fixed at above ten and under fourteen years ; let them provide against young children being compelled to clean mill-gearing or machinery at any time ; above all let the mill-owners be compelled to care for and provide for their operatives within easy distance from their mills clean ventilated habitations at very moderate rents. The evidence given before the commission or the bulk of it tends decidedly against fresh legislation or any legislation at all on the subject, and it deplores and deprecates against any interference on the part of Government in a matter resting between a certain section of the community and the men whom they employ. Far be it from me to attribute any kind of motives to any one in or out of Government, but from what I have heard said on all sides, people rightly or wrongly are led to suspect ulterior motives on the part of those who advocate so zealously and vigorously the adoption of stringent measures to retard the growth and progress of this highly prized industry. They naturally suspect that there are wirepullers behind the scene, and that the Bombay enterprise is attempted to be checked or nipped in the bud lest it might prove a formidable rival to the manufacturers of England. To speak more plainly people both interested and disinterested in Bombay are inclined to think that this is all the doing of Lancashire. If there is a false impression in the minds of the public that the Government has been put up to this kind of obstructive legislation by some body, the sooner it is removed the better. As the uncharitable world would have it, there is a good proof of this lurking suspicion in their minds in the invitation sent to Lord Dufferin by the Manchester Chamber of Commerce to a dinner by that body on the eve of His Lordship's departure for India which he had the shrewdness and good taste to decline, though he at once agreed to receive a

deputation from the Chamber to hear what they had to say. Then again if the new Act comes into force with all its rigours in this Presidency alone, one cannot say to what disadvantages, possibly heavy losses the Bombay mills might be put to in competition with the fast multiplying mills in Native States and elsewhere in this country. If the Government were to run down and hamper at every step the Bombay manufactures it would surely look like drawing invidious distinctions between one class of Her Majesty's subjects and another or of promoting the interests of one at the expense of the other. There should be a fair field and no favor for any who may choose to go in for this industry. True it is that the mill laborers of England are more healthy well fed and vigorous, and are consequently capable of greater bodily work. I must also admit that in the cold and bracing climate of England people are able to work longer hours and need less rest than in this country where the ill effects from fatigue and over-work are soon felt in some form or another. At the same time it must be admitted that in Bombay mills the work of one strong healthy English operative male or female has often to be divided between two or three persons, and that in this poor land the laborers are only too glad to work harder and longer when capable of doing so and earn more wages in order to be able to improve their own and their families' condition in life, and to make a provision for a rainy day. Surely those who are of proper age and are able and willing to work should be left free to make the best use they can of their time and physical powers. In the course of this paper, I have, I hope, dealt with all the salient points touched upon by an expert Mr. Meade-King who was sent out here in 1882 from England at the request of the Viceroy. I am at one with him as regards most of the points he has suggested for introduction, and I must at once acknowledge him to be an

upright and conscientious critic and judge of the manufacturing industry of India. Brimming with sympathy and kindness for the laboring poor he may have been led unwittingly to form an exaggerated opinion of the hardships and miseries of the mill-hands. Now let us glance for a moment at the condition of the ryots, the bamboo coolies, the wood cutters, the fishermen and many others whom I have seen working from "morn till dewy eve" in their fields, in jungles, or at places of their daily labor. Look at the half naked ryots or field laborers working in the burning sun of India miles away from their homes where they may be seen trudging with,—burdens on their backs—, such as grass, fodder or fuel—late at night to eat a kind of porridge or "Konjee" of maize bajree or the coarsest kind of food-grain, or only to feed on certain kinds of greens, herbs or vegetables to keep their body and soul together; these men are and remain up to their ears in debt to the time of their death. These men waste and toil away their lives and bodies to get a scanty livelihood which they very often do not get in spite of hard work. They have hardly anything to cover themselves with from the sun, rain, and bitter cold, or have only a rag to serve the double purpose of bedding and covering for the body. They have no idea of this or the other world beyond their stone gods and their earning of a few pice a day, or of a handful of grain to satisfy their hunger. I have seen often on the sea or river side men busily engaged from morning till evening in emptying large pools of water in the bitterest cold in the hopes of securing some kind of fish for their own consumption or as a means of livelihood by sale of the fish in the bazaar for a few pice. Those only can know what this kind of labor means who have any personal or ocular experience thereof. People who sit lounging in their office chairs writing sweeping minutes and who by a

mere stroke of their pen sway the destinies of millions of people have scarcely any idea of what hard bodily work means, and these are exactly the sort of men who out of pure good nature commiserate the laboring classes. I am driven to a *reductio ad absurdum* kind of argument having been convinced that the proposed act is quite unnecessary and harmful. Why do not Government bring in an Act to prohibit early and ill-assorted marriages among the natives of India knowing full well the terrible consequences of infant marriages. For an Act of this nature the people will be under an immense obligation to Government, not only the present generation but generations yet unborn. Why do not Government bring in an Act against the wicked and immoral practice of polygamy among Hindoos and Mahomedans and other classes of their subjects? The awful results of the practice of polygamy and infant marriages are too well known to need any lengthy recapitulation from me here. If Government were to go on framing acts of this nature I wonder where it might end. I might go on multiplying instances of this kind in which though special legislation may be absolutely necessary in the interests of the subject, Government had never dreamt of interference in matters of this kind on the ground of public policy, prudence and sound principle. Government might as well frame an Act to prohibit the people from marrying until after a certain age fixed by the legislature or without a license from them to do so. This would be as absurd as to say that the mill-owners shall be led by the nose in matters affecting their private rights and be made to go by a set of rules framed by Government for the conduct and management of their own affairs. Would it not be wiser and better for all concerned to leave all such matters for the present at least to the good sense and free will of the employers and the employed, and to step in with a stringent act

only when anybody asks for it. The amount, nature, remuneration and mode of work and labor of each man, woman, and child, should I think be left unfettered by legislative enactments, and let nothing be done until a strong case is made out for a new and stronger act. Now side by side with the above arguments based on the absurdity of the thing let us review as briefly as we can the effects of the opium and Abkari Acts from the stand point of an independent and disinterested thinker. This drug and the various kinds of spirituous liquors are known to be injurious to public health, in spite of which they are daily and hourly consumed in immense quantities by millions of people in and out of this country. Something might be done to check the free use of the drug and fiery spirits and the nameless and numberless crimes and evils that spring from them to the great detriment of the Government and the people. Why not lessen the duty on spirits and opium. If the people cannot get a cheap, good and wholesome article, they are sure to buy a harmful article in common use and without which they "cannot go" at any price. If our kind and humane Government know the miseries and vices that they directly or indirectly help to originate they would at once remove these crushing duties not only upon articles of luxury (opium and spirits), but upon the commonest necessities of life, like ghee, salt, toddy &c. In their zeal and enthusiasm for Government revenue, officials are apt to make light of the lives and health of the subjects, but they must rest assured that the safety and happiness of the people is the supremest of all laws. It may be the benevolent object of Government to prohibit the common use of all noxious drugs and spirits by the imposition of heavy duties but the Government deceives itself when it thinks itself capable of stamping out inherent vices like drunkenness, prostitution, opium eating &c., by any acts of the Legislature. These vices will remain to the end

of time and human nature will be human nature every where and in all conditions of life. Toddy, the famous Indian Champagne, or mother's milk as it is called in India, is an exhilarating and nourishing liquid in its unfermented state and a fine cordial and restorative for the masses of the people. Before the present rigorous enactments came into force it used to be taken as an article of food and sustenance by the poor in its pure and natural state. The juice of the palm tree is peculiar to India and was looked upon as the free gift of nature only to be had for the labor of drawing it. During greater part of the year over half the poor population of India have to go without any kind of solid food such as meat, food, grain and the like. Milk is rather a dear article of food for the very poorest because the wealth of the people consists of cattle, and those who own several heads of cattle are looked upon as well off and in easy circumstances, and it is they only who can afford to use milk as its products as an article of food. Ever since Mowra flower and toddy have been stamped out of common use and consumption by the vast masses of people, they are driven to seek sustenance in herbs and vegetables or in the cheapest or coarsest kind of grain called "Kodra" and "Bunto," and I have not unfrequently seen in stray villages of Guzerat and Kattyawar some people and their children going without any kind of food for two or three days together. In many respects the "Abkaree Act" is an engine of oppression and exaction in the case of laborers and work-people. It is they against whom its rigours are virtually enforced. It is they who seek oblivion and rest in spirits and liquors after their day's labor. In matters affecting the vital interests of the dumb poor when a voice is raised it is soon stifled or disregarded. On account of the heavy duties, toddy and spirits, pure cheap wholesome stuffs have been driven out of the market, and the country is being flooded with

villanous stuffs going by the name of brandies, and English liquors. It would not be beyond truth if I assert that year after year thousands and tens of thousands die by drinking poisonous liquors and spirits and that the number of these is far in excess of those that die of hard labor or over-work and fatigue. Government and exporters of liquors quietly look on this unhappy state of things and profit by it while it brings death disease and sorrow to the cottages, of the poor. Why do not Government prohibit the exportation from England and France of all sorts of poisonons liquors and spirits to their lasting good name and glory, or why they not open certain depôts or establishments all over the country where good pure wholesome wines, liquors and spirits can be had by all at moderate rates, just as they do with opium which they buy up wholesale from the growers and sell subsequently by public auction to the highest bidder for exportation. Government must know that the use of opium and spirits can never be altogether stamped out of existence by any amount of hard law. See how they protect their commerce, the purity of their manufactures, and the health, life and interests of their people in France. The large exportation of Mowra from India opened their eyes to the danger looming in future, and the French authorities laid prohibitive duties upon Mowra in Marsellos. Then are more useful and beneficial legislative measures to which the Government would do well to turn their attention. For instance the wise and noble project which is now being agitated all over the country under the auspices of a veteran journalist Mr. B. M. Malbaree who is well-known in Bombay deserves the earnest and immediate consideration of Government. I mean and Act against "Enforced Widowhood", for which an agitation is now set on foot in the Public Press, and official and legislative bodies and administrations of the country. I wish

thrt young Indian patriot-under the care his " gooroo " guide, friend and philosopher Mr. Dadabhoy Nowrojee—, would sternly persevere in the cause of the weak and the oppressed until his labors are crowned with the success they deserve. Let him move the new Viceroy in the matter and fight the battle out with zeal and vigour, and this really sound and useful piece of legislatian is expected soon to be an accomplished fact. Here let me refer for a moment to the priceless necessity of the poor of India, namely salt. • It is a thing in common daily use and is consumed not only by the peasant but also by the peer, from the highest to the lowest in the land. The free use of salt is said to be eminently' conducive to digestion and therefore to health. The crushing heavy duties on salt and the consequent rise in the price have absolutely debarred from the use thereof large numbers of the poorest people to whom it is the greatest necessity of life. When they cannot buy salt they go to the salt-pans and scrape together lumps of earth mixed with particles of salt to serve for the real article. They cannot eat, relish, or digest their food without salt and the use of salt-earth brings on death and disease to the poor people and their children. The purposeless over-legislation of the present day has done and is doing more harm than good. Legislation in the right direction and agreeable to the opinion of the public and their requirements, and when there is a real necessity for legislative interference, should be the guiding principle in enacting laws. Government are often known to take precious good care of themselves and their revenues but half as much care and attention to the interest and well-being of the people would raise the good British Raj in the estimation of the millions of its subjects far beyond any other Government in the world. Remove or lessen the duty on salt so as to place it within the reach of the humblest of its subjects and let Government do some

good honest work for the happiness and well being of the people, instead heaping upon them acts after acts of the legislature of which they know little and careless. Government is bound in all conscience to undo obnoxious laws rather than make unnecessary laws. The subject of salt and salt duties is so important and extensive that it would be impossible for me to do justice to it within the limits of this paper and I must reserve my remarks thereon for a future occasion. In conclusion let me add that I don't blame the Government of Bombay or mean to say a word against it for their praise-worthy enthusiasm in the cause of the poor laborers. But in this case as in many others good natured and well-meaning people in their zeal for doing good to others have really done harm. What is one man's meat is another man's poison. What the Government of Bombay in their wisdom and philanthropy think good for the mill laborers might, if they were individually questioned upon the point, be nothing short of starvation and want to them, not to say a calamity and well they might say oh? "save us from our friends the Government of Bombay." The following valuable information is taken from the *Times of India*.

An esteemed Correspondent interested in the cotton industry has been good enough to supply us with very full details as to the actual state of the spinning and weaving mills, not in Bombay only, but through the whole of India. His figures, which have been collected with much care and trouble, go up to the 30th June 1884. In the town of Bombay itself there were 43 mills, 38 in work and 5 in course of construction. The total amount of capital paid up was Rs. 4,50,84,305; the number of spindles was 1,251,726; of looms (in 22 mills), 11,985; of hands employed daily, 36,071; and the quantity of cotton consumed in cwts. (in 36 mills) for the last twelve months, 12,18,490. Elsewhere in the Bombay Presi-

dency there were 18 mills, with a total amount of paid-up capital of Rs. 94,37,062 (capital of one mill not stated). The number of spindles was 2,89,153, and of looms, in the only 12 mills that have them, 2,314. The number of hands employed daily was 9,293, and last year's consumption of cotton in cwts. 2,35,935. Thus in the whole of the Bombay Presidency there were 61 mills constructed at a total cost of Rs. 5,45,21,367, employing 45,364 hands, and consuming annually 1,454,475 cwts. of cotton. By comparing these figures with the "rest of India," we shall see how far the mill industry is really a local enterprise. In the "rest of India" there are 20 mills: 1 in the Central Provinces, 1 at Hyderabad (Deccan), 6 in Bengal, 3 in the North-West Provinces, and 9 in Madras; but 4 of these latter are still under construction. The total paid-up capital of these twenty mills was Rs. 1,41,49,500; the number of spindles, 79,176; of looms, 1,426; of hands employed daily, 17,472; and the quantity of cotton annually consumed in cwts 3,71,591. Thus in India generally the capital invested in mills is Rs. 6,86,70,867; the number of hands employed, 62,836; while Rs. 5,45,21,367 of capital and 45,364 hands belong to the Bombay Presidency. This is a good retort to those who allege that the natives of India, especially of Western India, have no enterprise, for the amount of capital held by Europeans is absolutely insignificant. The history of the Bombay Cotton Mills, of which all the others are imitators and offshoots, is very interesting, and is

clearly shown by our correspondent in the following table :—

*Progressive Statement of Cotton Mills in the
Bombay Presidency.*

Years ending 30th June,	No. of Mills working and in Course of erection.	No. of Spindles.	No. of Looms.	Cotton consumed in cwts.
1884	61	1,540,879	14,299	1,454,425
1883	51	1,345,042	13,616	1,232,812
1882	49	1,237,536	13,046	1,102,255
1881	42	1,158,510	12,310	1,061,242
1880	42	1,151,280	12,212	900,928
1879	42	1,147,310	12,311	741,104
1878	42	1,095,162	10,631	794,430
1877	41	1,043,944	9,291	Not known
1876	40	963,981	8,681
1875	40	886,098	8,537

Thus by the best test the amount of cotton annually consumed by the Bombay mill industry has doubled itself in the last seven years, and within the last three years 20 new mills have been added, though there had been change in the four years preceding.

NUSSERWANJEE SHERIARJEE GINWALLA.

Broach 1885.

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EAST INDIA ASSOCIATION,

Instituted for the independent and disinterested advocacy and
promotion, by all legitimate means, of the public interests
and welfare of the Inhabitants of India generally.

THE AGE OF COMPETITION FOR THE INDIAN CIVIL SERVICE.

PAPER BY

A. K. SETTNA, ESQ., OF BOMBAY,

READ AT A MEETING OF THE EAST INDIA ASSOCIATION,

ON MONDAY, JANUARY 19th, 1885.

WILFRID SCAWEN BLUNT, ESQ., IN THE CHAIR.

A MEETING of the members and friends of the East India Association was held on Monday afternoon, January 19th, 1885, in the Exeter Hall Council Chamber, for the purpose of considering a paper by A. K. Settna, Esq., of Bombay, on "The Age of Competition for the Indian Civil Service."

WILFRID SCAWEN BLUNT, Esq., occupied the chair, and amongst those present were the following:—Lady Anne Blunt; Lord Stanley of Alderley; Lord Wentworth; Sir Rowland Knyvet Wilson, Bart.; Major-General G. Burn; Major-General R. M. Macdonald; Lieut.-Colonel P. T. French; Captain T. S. Boileau; Captain W. O. Palmer; Mr. Thomas Hughes, q.c.; Rev. J. Long; Mr. M. Abdool Majid; Mr. C. W. Arathoon; Mr. W. M. Bell; Mr. M. M. Bhowmuggree; Mr. Umar Buksh; Mr. Ardeshir Burjorji Master; Mr. A. H. Campbell; Dr. G. R. Clark; Mr. A. K. Connell; Mr. W. J. Cooper;

Mr. T. Duncan (Bombay); Mr. D. W. Dutt; Mr. K. B. Dutt; Miss Eade; Mrs. Fischer; Mr. George Foggo; Dr. N. B. Gandevia; Mr. H. F. Gurmonprey; Miss Minnie Harle; Miss M. Harle; Mr. William Hodgson; Mr. Edward Hope; Mr. Edmund Gibbs Kimber; Mr. Kumruddin; Mr. J. B. Modi; Mr. N. J. Moola; Mr. Magnus Mowat (Bombay); Miss Noel, Mr. Piyare Lal; Mr. S. Robertson; Sardar Krishna Singh Kapur; Mr. Alfred D. Saunders (Bombay); Mr. John Shaw (Madras); Miss A. M. Taylor; Mr. A. Vahid; Mrs. Weare; Mr. C. N. Wood; Mr. W. Martin Wood; Dr. Yusuf Ali Khan (Punjab); Mr. W. Hamilton Burn (Secretary).

The CHAIRMAN: Ladies and gentlemen,—In opening the proceedings this afternoon, I wish first of all to express my thanks to the Committee of the East India Association for having done me the honour of asking me to preside to-day. I feel the honour done me more because my experience of India is of a recent date, and, though I yield not even to the oldest member of this Association in the interest I take in Indian affairs, yet I am quite aware that my knowledge is only that of a beginner, and that, therefore, I have not all the technical requirements of one who should be asked to preside on so important an occasion. However, I have certain advantages. In the first place, in being personally acquainted with our friend, Mr. Settna, who is going to read the paper to-day. My acquaintance with him began last year, when he was Secretary of the Committee formed to support Lord Ripon in his policy, and I have since had the advantage of seeing him a good deal. However, I need not say very much about Mr. Settna, because I believe he is known to all of you. He has been in England for three years, and he is well known as one of the most rising of the young Indian gentlemen who have been studying here and who are ultimately to go back to their country to help to govern it. Another advantage is that during my recent journey in India I had the opportunity of discussing this very subject of the age at which Civil Servants should go up for examination with most of the leading reformers, both English and native, in India, and therefore I am able to speak with a certain knowledge of the opinions as they are held in India, and I have no doubt that our friend Mr. Settna will expound those fully in the paper which he is going to read. With regard to the matter that is to be treated to-day, I think it is very fortunate that Mr. Settna should not have had the opportunity which I believe he sought last summer of bringing forward this question before the Association. I understand that he had hoped to give his lecture last summer, but it was delayed for various reasons, and I think he can only congratulate himself on its having been delayed. Last summer the

excitement and agitation which had been got up by the press against Lord Ripon's policy had very much prejudiced all English opinion on the subject of reform in general in India, and I think it would have been very difficult to have called public attention in any forcible manner to the need of a change of the sort that we are going to discuss this evening. I fancy even the India office was influenced by this agitation, and it would seem that that may, in part, account for Lord Kimberley having declined to re-open a discussion on this question of the age for the examination of Civil Servants. Now, on the contrary, after the astonishing evidence of the success of Lord Ripon's administration and ideas in India—(Hear, hear)—I consider that English opinion will be far more open and ready to admit the idea of progressive change in India than it was six months ago. At the present moment no one can say, without violating facts that are patent to all, that Ripon's policy in India of encouragement to native progress and advance in taking a share in the government of the country has not been an immense success. Six months ago there was an idea that it had produced disloyalty in India. It was thought, that because there was an immense agitation in the country, therefore the country was disloyal. The wonderful demonstrations made within the last two months in India towards Lord Ripon, and the great display of loyalty which has been evoked by his farewell progress has emphatically demonstrated that that fear was unfounded; and I believe, therefore, that at the present moment, Englishmen would be far more willing than they were before to adopt ideas which are in accordance with Lord Ripon's policy. With regard to the particular subject of the paper which is going to be read to-day, I think it especially interesting, because it touches the real vital point of reform in all Indian matters. When we set to work to bring about reforms in England, it has been generally understood by all the Liberal party, and the party that wished reform, that the first thing to reform was the House of Commons; and therefore all efforts were concentrated on that, and when the House of Commons was reformed, it was considered that other reforms would naturally come. Now, in India, where there is no House of Commons, the one centre of authority, and which corresponds more or less to the House of Commons, is the Civil Service. It is the one autocratic legislative body of the country; it alone can bring forward reforms or carry them through; it is entirely irresponsible, and has all the authority in its hands. Therefore, if you want real reforms in India, there is no doubt about it that the first thing of all to reform is the Civil Service. Now

this point of age of admission to the Civil Service, although it may seem to people who have not studied the question, to be a not very important matter, really involves the whole theory and practice of reform in the country. Until facilities are given for the admission of the natives of India to full equality in government with the English in India, there will be no real reform in any direction. There will be small changes, but real progress will hardly be expected. It is for this reason that the point to be considered is one of such large importance. For my own part, I consider that the way in which India is governed by the Civil Service fails for two reasons. In the first place, the Civil Service, as at present constituted, is so very close a Service that it partakes of the nature of all close corporations in being very slow to move in any direction which is at all opposed, or which seems to be at all opposed, to its own interests; and for that reason it is necessary that the Service should be changed in the mode of its composition. There is a second reason which, I think, is quite equally important, and perhaps to many will appear even more urgent, and that is the financial reason. The present system of governing India is enormously costly, and what will eventually force on reform, if nothing else does, will be the financial crisis which must come. At present India is governed rather on the system of a farm which has been managed by some very expensive Scotch bailiffs; it may be wonderfully well governed; everything may be in extremely good order; the farm may be well let and the farm buildings excellently kept; but everything is done a little too well, and the consequence is that debt keeps on increasing, and the country cannot afford the expense of the great machinery of administration which is put to work to govern it. This is the financial reason that demands reform in the Indian Civil Service; and the only way in which that can be brought about will be by the gradual transfer of the work of administration in all the lower branches from Englishmen, who are the most expensive material of administration, to natives who are far cheaper, because they are the indigenous material of the country. I have no wish to enter further into the particular question which is going to be raised by Mr. Settna in his paper. I leave it to him to develop the arguments which he uses on this special point, and I have not the slightest doubt that he will do full justice to them. I now beg to introduce him to you, and call upon him to proceed with his address. I believe before reading the paper he will give the contents of a few letters which he has received from various members of the Association, expressing regret that they are unable to be present on this occasion.

Mr. A. K. SETTNA: Ladies and gentlemen,—Before I read the paper I am sure I shall express your sentiments by thanking the worthy Chairman for his very able and useful speech with which he has just enlightened us, and I personally thank him for the kind remarks which he has made with regard to myself. The object of this paper is to lay before this meeting, and to lay before the public generally, a question which I consider to be of the first importance in connection with the government of India. As our Chairman very rightly remarked, it may not appear so at first sight; but I hope we shall make it clear before we leave this room, that the limit of age is in fact one of the principal things which has to be taken into account in connection with the Indian Civil Service. And, important as the question is, I think the issue is as clear as it could possibly be; it is as clear as it could be put before any persons of ordinary intelligence. And our contention is—I mean the contention of myself, and I believe of all my countrymen, perhaps one or two excepted—that there was no substantial reason shown to change the limit of the age from what it had been previously to what it is now; and in the absence of any such reason, we think that it has been made indirectly to affect the entrance of the Indians into the Civil Service. Whether we are justified in that assumption or not, may be an open question. But if we are not justified, it is for those who uphold the system to show a substantial reason for upholding it; and if we are justified, I hope the India Office and the apologists of them will avow that this present system has been brought into force purposely to exclude the Indians. If it is so clearly avowed, then I think we shall have a clear case before the House of Commons. Because it has been laid down by the legislative enactments of the House of Commons, and by the proclamation, that no person shall be placed at a disadvantage or excluded from any post whatever on account of caste, creed or colour. Therefore I hope, if that is the clear object of the Secretaries of State, or of those who govern us, if that be their sole object to exclude us altogether from the Service, I hope we shall be told so. If not, I hope we shall hear some substantial reason from them, which I am sorry to say we have hitherto failed to get. Now, before I read the paper, I will just read a few letters which I have received from several eminent men on this subject. The first I will read is from the Right Hon. Sir ARTHUR HOBBHOUSE:—

15, BRUTON STREET, W., *January 14th, 1885.*

DEAR MR. SETTNA,

My engagements will preclude the possibility of my attendance at your lecture on Monday next. The object of it is

most important. When the matter was moved in 1875, I thought that no case was shown for any substantial alteration, and I then thought and think that the inquiry sprang from a desire to strike a blow at the whole competitive system. It did not then occur to me that to lower the age, which some recommended for reasons of much weight, would indirectly exclude Indians from competition. To lower it *because* it would exclude them seems to me to be making rules against the spirit of legislative enactments; and I have difficulty in supposing that such was really the motive ruling at the India Office. I wrote at the time a minute expressing my opinion on the points referred to us, which is in the Blue Book. The subject is one of difficulty, but you know my strong opinion that a much larger proportion of Indian administration should be committed to Indian hands, and that all arrangements which interfere with that great object are objectionable. You are quite right to bring forward the subject at every opportunity, dealing with it, as you do, in a dispassionate spirit.

—Believe me, very truly yours, ARTHUR HOBHOUSE.

The second is from General Sir GEORGE BALFOUR, K.C.B., M.P.:—

6, CLEVELAND GARDENS, HYDE PARK,
January, 1885.

DEAR SIR,

I regret I am unable to be present to hear your useful paper read, and to take part in the discussion. I have long taken a deep interest in the mode of selecting Civil Servants for India. I am not satisfied with the present system. Your paper only provides for the selection of young men who can pass English examinations, but the mass of the natives of India cannot qualify, and it will take many many years before the educational training will enable them to pass. During more than the half-century since I landed in India, vast changes have taken place, and more are in progress. Many offices formerly held by European Civil Servants are now open to those born in India. I would have continued the separation, and then have diminished the demand on England for civilians. I do not believe you can get races to amalgamate. So long as India needs an army of English, so long must you have English civilians. Diminish army and civilians as much as possible, and this can only be done when you have effected improved government. Then the natives of the soil will be appointed to high offices in the Civil administration. You propose a great revolution. I urge gradual changes. Above all, guard against the hostility of races.—Yours truly,

G. BALFOUR.

The following letter is from Sir JOHN B. PHEAR :—

MARPOOL, NEAR EXMOUTH,
January 16th, 1885.

DEAR MR. SETNA,

It is with great regret that I find myself unable to be at your meeting in Exeter Hall next Monday, for I should like much to hear the discussion to which your paper will give rise. For my own part, I am entirely in favour of the extension of the age for competition both in the interest of native competitors and also on the ground of the efficiency of the Service. It is, I think, especially important that the limit of age should be such as will enable graduates of Oxford and Cambridge who have remained to take their degrees at the University in the hope of gaining a fellowship, but have just missed this distinction, to change their destination by seeking employment in India. No better material than this can be desired for the Civil Service, and we have had some excellent specimens of it in Bengal. I am writing under some pressure of time, but remain.—Yours truly,

J. B. PHEAR.

The fourth letter is from Professor THOROLD ROGERS, M.P. :—

OXFORD, January 15th, 1885.

MY DEAR SIR,

I cannot possibly be in London on Monday next. I have a great deal to do just now, and little time for it. You cannot doubt that I have a strong sympathy with your purposes since I introduced the deputation to Lord Kimberley. I regret that on that occasion you had no reporter, as, if you had, the strength of the case, and the extreme nonsense which Lord Kimberley talked, would have been published. It is more difficult to argue on your suggestion that examinations should be held in India. I suppose you mean simultaneously with those in London, and with the same options. Unluckily the jealousy felt at Indians getting into high office through any competitive or elective system, is as general as it is unworthy. Lord Ripon has been thwarted by the Jingo selfish press of London. My idea has always been that the administration of India may well be left to selected candidates, administration being understood to be merely functional, that the Government of India should be largely in the hands of natives, and that the military defence should be, as it has been, in British hands. I cannot, of course, in a letter tell you how I think this threefold division should be appor-

tioned, but I am sure that the problem should be attempted, and not dropped till it is solved.—Yours faithfully,

JAMES E. THOROLD ROGERS.

Among other letters that have been forwarded is one from Mr. JOHN SLAGG, M.P., expressing regret that, as he was just starting for Egypt, he was unable to be present at the meeting, although he had read the paper with great interest. Mr. St. GEORGE TUCKER and Mr. J. F. B. FIRTH, M.P., apologized for inability to attend; and Lord REAY, Governor-designate of Bombay, and Sir GEORGE CAMPBELL, M.P., also expressed regret that other engagements prevented them from attending the meeting.

Mr. SETTNA proceeded to read the paper, as follows:—

It would not, I venture to think, be unprofitable to raise a discussion in this country upon the question regarding the age up to which the competition for admittance into the Indian Civil Service should be allowed—a question of no small importance to the good Government of India—at a time when the all but unanimous voice of the Indian press—Native and Anglo-Indian—has condemned the reply of the Secretary of State for India refusing to grant the prayer of a deputation from the Indian Reform Association, to raise the maximum limit of age now obtaining for competition, and when the hearts of the people of India are so deeply stirred at the injustice of prolonging a system brought into force by intentions which will not bear a very close scrutiny, and fraught with disastrous consequences of impairing the administrative efficiency, and also of what would be a still greater evil, shaking the confidence of the people of India in the honesty of the British rule, if the present system is persisted in for some time longer. This, it will easily be seen, is a question of vital importance, as affecting the principle itself upon which India is governed. The Secretary for State would, therefore, do well to re-consider the question with the light of what additional information he may receive on the subject. And such information, it is to be hoped, will be amply furnished by the discussion of the question this afternoon. I may also mention, that the reply of Lord Kimberley did not appear to be so decisive as to make one despair of any favourable re-consideration. We may hope, therefore, that a further consideration will be given to the question in an honest and statesmanlike manner.

There are many side issues of the question which it is not our

present purpose to determine, such as the abolition of the competitive system, the change of venue of the examination from England to India, the subjects of the examination, &c. But, on each of these three heads I will just say a few words. Firstly, as regards abolition, it does seem to be a very difficult question to venture one's judgment upon. It may be said against it, that there are many able and experienced men in the service of the Government of India who are prohibited from rising higher than a certain limit, simply on account of there not being competition wallahs. Then again there is absolutely no guarantee in the competitive system that you get the best men, from a moral, administrative or intellectual point of view. And amongst the advocates of the abolition of the present system of competition, I may mention Sir George Birdwood, of the India office, and Mr. Justice Bayley, of the High Court of Bombay. But on the other hand it may be said, that it is difficult to find a system which would be less open to objection than the competitive one. I would certainly advocate abolition of the present system if this difficulty be overcome.

As regards the second point, the change of venue of the examination from England to India, there is much to recommend it. For what a hardship it is to the people of India to come all the way here to compete for an examination in which their chances of success are so small. Some people often say that the high caste natives of India are prevented by caste restrictions from coming over to England, and its no use having those men superseded by those who break through caste prejudices to come over here. Then it seems to be a conclusive argument in favour of holding the examinations in India. For what would it otherwise come to? Simply this. That we cannot give any responsible posts to those good men because they don't come over; but we won't give to those that do come over because they are above these prejudices! Admirable argument!

As to the third point, viz., the subjects in which students should be examined, not being a successful University man myself, I am not prepared to offer any remark. I only mention it as there may be some "experts" here who may make some useful suggestions.

Let us now turn to the subject which requires our earliest consideration, viz., the maximum limit of the age for competition. Under the old system—before 1854—the limits within which students were eligible for admission in Haileybury College were seventeen and twenty-one. "The principle of selecting Civil Servants in the first instance by open competition"—I am here quoting from the Report of the Civil Service Commissioners in reply to the Marquis of

Salisbury's letter inviting their opinion upon certain points (in 1875)—“was laid down in the thirty-sixth and thirty-seventh clauses of the Indian Act, 1853, which provided that all powers, rights, or privileges of the Court of Directors of the said (India) Company to nominate or appoint persons to be admitted as students, should cease, and that, subject to such regulations as might be made, any person being a natural-born subject of Her Majesty who might be desirous of presenting himself should be admitted to be examined as a candidate. The regulations necessary for carrying out this provision were framed in the following year by a committee composed of persons unusually well qualified, individually and collectively, to speak with authority upon the questions referred to them, viz., Mr. (afterwards Lord) Ashburton; Dr. Melvill, of Haileybury College; the present Master of Balliol College, the Rev. B. Jowett, and Mr. (now Sir John) Shaw Lefevre.” The limits fixed by the regulations framed by this committee were twenty-three and eighteen. The Commissioners observe that “The effect of the increase in the age of civilians appears from the first to have been thought beneficial in this respect, that it supplied the service with persons of ‘more matured judgment,’ and ‘wider experience of life.’” These limits lasted till 1859, when the superior limit was lowered to twenty-two, which remained in force till 1865, when it was again lowered by one year, to twenty-one, which in its turn remained in operation from 1866 to 1878. But in 1874 and 1875, the Marquis of Salisbury, the then Secretary of State for India, solicited the opinion, upon certain matters connected with the Indian Civil Service, first, of the Civil Service Commissioners (which is embodied in the Report above referred to), and then of the Governor-General of India in Council (who invited the opinions of a large number of the civilians in India). Lord Salisbury's inquiries and the subsequent decision arrived at, refer, among other things, which we have not to deal with here, such as the allowance of the students or their residence in London or elsewhere—to the system of cramming, University education, and the risk which unsuccessful students undergo, questions which turn upon the limit of age. This decision, which reduced the maximum limit to the almost childish age of nineteen, was arrived at against the opinion of the Civil Service Commissioners (which, according to Lord Salisbury himself, was entitled to great weight) against the opinion of more than two-thirds of the Indian civilians (of 69 out of 96), and against the opinion of Lord Northbrook, then Viceroy of India, given in a very able Minute. There does not appear to have been any sufficient justification for re-opening the question,

much less for the subsequent alteration. Lord Salisbury had not any authoritative report as to the working of the system on which to base the inquiries. And as regards the alteration, let us examine how they affect the three principal causes.

Firstly, as regards cramming. Has the alteration of age put a stop to it? Nay, more, could any sensible man have supposed that it would achieve that result? Any man can see for himself that not only it has not put a stop to it, but has increased it with redoubled force.

Secondly, as to giving the candidate a University education. It is true that the reduction of age, with the above object, was recommended by the Oxford University. And the University of Cambridge, though advocating the same object, was silent as to the question of age. But against the recommendation of the Oxford University there was the more weighty authority of Rev. B. Jowett, Master of Balliol College, Oxford, whilst recommending an University education, suggested an increase in the maximum limit of age. And the suggestion of Dr. Jowett is the more authoritative, as it should be observed, he was a member of the committee of 1854, which drew up the regulations for open competition. It is also worthy of notice that some of the best men in the service are those who obtained admission under the first regulations, many of them being also University men.

Thirdly, to obviate the risk undergone by unsuccessful candidates. I certainly would sympathize with that object so long as it is compatible with the efficiency of the service, in other words, with the important interests of India. In aspiring for a great prize there is always a certain amount of risk involved; and the greater the risk the greater is the prize valued when obtained. But does Lord Salisbury, or those who think with him, know what terrible risks the Indian youths undergo in coming over here to compete for the Indian Civil Service, where their chances of success are so infinitesimally small? Not to mention the caste and other prejudices which they have to overcome, the future prospects of the unsuccessful candidates are so restricted in the field of usefulness in India—which is always so small—that it is a wonder how they could at all venture to compete for the Civil Service. The only thing which a majority of these men take to, is the legal profession, by spending three years more in this expensive country. What are the risks of an English candidate as compared to those of the Indian who spends about five years or more in exile, and about two thousand pounds, a sum by no means so small to an Indian as may appear to many in this country? It does seem strange

that though Lord Salisbury asked the opinion of the Civil Service Commissioners as to the expediency of distributing a certain number of appointments among certain Universities in Great Britain, it did not occur to his Lordship to refer also to the Universities in India.

It is needless to remark that the unanimous verdict of the Indian Council was in favour of Lord Salisbury's decision of lowering the age to nineteen. And this, notwithstanding that the majority of officials in India—as seen above—was against it.

So far, then, we fail to see any justification for the alteration in the three ostensible reasons we have discussed above. We must therefore look for them elsewhere. In a despatch (No. 35 of 1878) from Lord Lytton (the then Viceroy of India) to Lord Cranbrook, the Secretary of State, the following passages occur:—"In the opinion of the Government of India, and of most of the officers who have been consulted, it is desirable that when this Special Native Service is constituted, the Ordinary covenanted Civil Service should no longer be open to Natives. We deem this desirable as a matter of principle, because, affirming as we do without hesitation, that neither at present, nor within any period of time practically calculable, can the highest and most important executive posts of the Covenanted Civil Service be safely or efficiently filled by Natives, it seems to us highly objectionable to encourage the Natives to enter into the service which ostensibly offers them, as legitimate objects of ambition, posts to which it is notoriously impossible to appoint or promote them. This impossibility is so patent even to the Natives themselves" (indeed!) "that we believe our present proposals, if fairly carried out, would be widely welcomed by them as a very substantial boon, but so long as all higher executive posts in the administration of the country continue to be nominally open, but virtually closed to native agency, the constitution of the Civil Service of India can never be wholly free from an element of uncertainty which tends to perpetuate a growing dissatisfaction on the part of our Native subjects, and a chronic irritation among our European servants. The difficulty, indeed the utter impossibility of getting European officers of position and education to serve cheerfully in subordination to Natives of India is one which, whatever may be thought of it from an abstract point of view, no one with personal experience of India will under-estimate. . . . So long as Natives can obtain admission to the Covenanted Service by competition, this difficulty will be liable to arise, and the only complete remedy would be to close the competitive service by law to Natives of this country. But the recent reduction of the standard of age for the competitive

“ examination will practically render the matter of exceptional
 “ difficulty, and as the prohibition would involve the repeal of Sec. 32
 “ of Act 21 and 22 Viet., cap. 106, which renders Natives of this
 “ country eligible to compete, and as such legislation would be of an
 “ apparently illiberal character, we content ourselves with recom-
 “ mending the point to your Lordship’s consideration, without
 “ making it an indispensable condition of our scheme.”

This generous sentiment was expressed by a person in the position of the Viceroy of India. It must be acknowledged, however, for the sake of fairness, that Lord Salisbury had settled the matter long before that opinion was expressed. But the same sort of reasoning must have swayed with his Lordship, very few will dispute, as we fail to find any other equally cogent. To my mind, therefore, we are indebted to Lord Lytton for letting the cat out of the bag.

Let us now turn our attention to Lord Kimberley. Lord Kimberley has not earned our gratitude by declaring himself in favour of Lord Salisbury’s limit. Lord Kimberley’s defence of the present limit may be summed up in the following points:—(1) That there was an opinion among the elder men in the service in favour of sending out very young men; (2) That there had been twenty-eight Indian candidates within the past six years; (3) That provision has been made by the Government for the Natives of India by the statutory service; (4) That the system having been altered within the last seven years only, he did not feel justified in making any change in the regulations without some more experience of its working. Let us examine each of these heads.

As regards the first point, it does seem rather a gratuitous assertion. Though there are some “ older men in the service ” who may be quoted in favour of that view, there are also older men in the Service who may be mentioned on the other side. Their opinions seem to be divided into two camps as is usual in all important questions relating to India. Unless, indeed, we accept the unanimous decision of the venerable sages of the Indian Council,—men, generally, who have lost all touch of India. But again, as Lord Northbrook says, the junior civilians are the best judges of the question, and their opinions were almost unanimously in favour of the previous limit. It is absurd to suppose that any tangible advantage could be conferred on the men themselves—or rather boys—by sending them out a year or two earlier. And even if it were, it is a question whether that advantage is not conferred at the expense of the efficiency of the service.

As regards the second point, I do not see how Lord Kimberley can use that as an argument against the assertion that the Natives

of India are practically debarred from the service. It does not require any stretch of imagination to comprehend that the present limit has virtually effected such a result. For how could it be otherwise? Suppose, for instance, that the examination for the Civil Service of this country were held at Calcutta, at the age of nineteen, in one or more of the Indian languages, and the Indians were also allowed to compete for it. I should like to know in such a case how many Englishmen would succeed. Lord Kimberley did not think it worth while to tell us that out of those twenty-eight Indian candidates only one has succeeded in getting through.* It strikes me, therefore, as a very forcible argument that the Indian parents entertain the honourable ambition of seeing their sons getting into the Civil Service of their own country, notwithstanding that there are such fearful odds against the realization of their desire. It should also be remembered that it is to the paucity of the number of the Indians who get admittance into this Civil Service, that some of the opponents of the Ilbert Bill used to refer with an inward but ill-disguised chuckle as "the small and dwindling class."

Coming to the third point, it is difficult to understand how the establishment of the statutory service can be regarded as compensating the natives of India for their exclusion from the competitive service. For, this statutory service is no more equal to the competitive service, in intelligence, dignity, and emolument, than I to Hercules—a service neither esteemed by the people nor the officials. I quote here the words of Mr. W. Wordsworth, Principal of Elphinstone College, Bombay, from a letter of his in *The Pall Mall Gazette* of 16th June last, to give a correct idea of the Statutory Civilians. "The people now selected are in reality representatives as little of the aristocracy as of the intelligence of the country. They are members of respectable families, who happen to enjoy the favour of some elevated official—a secretary to Government, a member of Council, or a Police-Commissioner. In this presidency, a college education and a university degree appear to be regarded as positive disqualifications for selection. A young man of independent character and high talents cannot now hope to enter the Civil Service by competition, and he has generally no wish to enter it by the back-door of favour. Every one, again, who knows India, also knows how far the official world here appreciates the independence of educated Natives,

* Two other Indian students have latterly been successful in the first examination. But whilst noting their success, it must also be taken into consideration that the great advantage which they had—of a lengthened residence in this country with their parents, one of them from his very birth,—does not obtain in the case of other Indians.

“and what chances it is willing to give them. Deferential ignorance, conciliatory manners, and a plentiful absence of originality and independence, are now, and will always be, at a premium.” Professor Wordsworth’s authority, at least as regards the Bombay Presidency, is unquestionable, in a matter of this kind. I beg leave to quote another paragraph from the same letter, which will throw some additional light on the subject:—“In the college over which I preside there are two hundred students, drawn from all parts of the presidency. The older and more intelligent are at least as interested in politics as Oxford undergraduates. In the reading-room, supported by their own subscriptions, they see *The Times*, *The Pall Mall Gazette*, *The Spectator*, *The Academy*, and *Punch*. They have naturally been considerably interested in recent discussions, in which the character of their class has been delineated with so much frankness, and often with so much ignorance. But each one of these young men will be an apostle of the doctrine that the pledges and promises of the British nation are like those of Macbeth’s “juggling fiends,” if the very service which we professedly established as a sphere for the reasonable ambition of educated men is now to be made the ground of their permanent inferiority to Englishmen in their own country. And I for one, will do nothing to disabuse them of this belief, because I feel too keenly how much truth it embodies. At the present moment, the feelings of Natives are deeply stirred by this question, and nothing but their warm gratitude towards Lord Ripon, and confidence in his unwavering justice and good faith keeps them quiet.” Yes! *Quiet*, they undoubtedly are, as opposed to rising into open revolt, but by no means so *quiet* in other constitutional weapons at their disposal, as some officials would like them to be.

But let us grant, for the sake of argument, that this statutory service is equal in all respects to the other. Is it necessary, I ask, that the people of India should be excluded from the latter on that account? Would it in any way be ~~detrimental~~ to the interests of India, which alone are supposed to be the guide of the conduct of our parental Government in its relations towards that country, if more Indians were admitted into the Civil Service? Is it to be taken as axiomatic that the policy of the British Government towards the people of India may be defined as that of taking away with the other what one hand gives? Is the above defined policy to be taken as the legitimate inference from the proclamation of 1858?

On the fourth point in Lord Kimberley’s defence, I agree with his Lordship to a certain extent. It would not be proper nor to the

advantage of India, that the policy of each Government should be reversed by its successor in every case. But in this case there is a good deal to be said why this particular policy should be reversed. Here is a distinct attempt made at subverting the very principle upon which the English Government in India rests. And unless this Government is prepared to follow that policy—which subverts the main principle—it is clearly its duty to reverse it boldly. Besides, what justification was there for Lord Salisbury impeaching a system which nobody complained of? On the contrary, there is ample justification for Lord Kimberley to alter this system. For would it be wise for his Lordship to await the results of a policy which bids fair to be mischievous—perhaps something more. Now that his Lordship is distinctly challenged here, and in India, he has no other alternative but to uphold this system, be it for a time, or, honestly facing the difficulty, give it a finishing stroke. Even now complaints are made from all parts of India that the *physique* of the juvenile civilians is unequal to their work. The complaint was first raised by the Bombay Government in January, 1882. And the Secretary of State's inquiry as to whether the same experience was repeated in other parts, was answered indifferently, and sometimes against existing facts. The Madras Government referred to certain "known cases of insanity." The Bengal Government reported that there was no "difference in physical vigour" between the old and the new men. But we are told by others that there are "known cases of insanity" also in Bengal. The north-west Government said that "younger men cannot stand the hard competitive training in England as well as older men, and those who now pass may consequently come out with constitutions less hardy than formerly." The Punjab Government thinks with the Bengal Government that there is no difference in physique between the old and the new men. But here also we are informed that there is a large number of junior civilians on the sick list. The effects of this system will, no doubt, increase as time goes on.

But apart from all other considerations, the system stands condemned on the sole ground of its injustice to the people of India. At a time when hundreds of young men are every year turned out from the different Universities in India, hankering after something to earn their living from, the British Government thinks it fair to shut them out from employment in its service, not because there is no employment to be given, but because almost all the positions of lucre are reserved for Britishers. And even the service which they might hope to enter by fair competition is closed against them, or so regulated, as virtually to

have the same effect. Need we be surprised then that the people of India are declaiming against this injustice from one end of the country to the other? Meetings have been held in different parts of India, not among the political babblers alone, as they are called, but also amongst the warlike races of the Panjab and the Sikhs, adopting memorials to Parliament to alter the present regulations. And the whole native Indian press, and also—what is a strange phenomenon—the majority of the Anglo-Indian press protest loudly against this thoroughly unfair system. Is this an uncertain voice to be disregarded?

But I go still further and ask, What rights have the successive Secretaries of State in Council to alter an Act of Parliament without its consent, and thus evade the real spirit of the Act by raising insurmountable barriers in the way of those who have been the first objects of concern with the British Parliament and the British Nation in their relations towards India? With the best of intentions and the best of Governments, British rule in India has not yet succeeded in making itself less of a burden and more of a blessing to the people of that country.

We have gone through by the process of exhaustion everything that can be said in favour of the present system. If there is anything left unsaid, I hope we shall hear of it in the course of the discussion. In the first place the alteration made was wholly unjustifiable, except on the ground of excluding the Indians from the service. And now it can be defended on that ground alone.

In conclusion, I need only say, that the maximum limit of twenty-one or even twenty-three, which obtained previously, would do harm to no one, but would greatly raise the administrative efficiency, and deprive the people of India of a just cause of grievance.

The CHAIRMAN: I have been asked to read a letter from the Chairman of the Association, General Sir ORFEUR CAVENAGH. He writes as follows:—

ST. AUBYNS, LONG DITTON, SURREY,
January 17th, 1885.

MY DEAR BURN,

I much regret that, owing to my having to preside on Monday at an important meeting of the Council of the Charity Organization Society, I shall be unable to take part in the discussion on Mr. Settna's paper. It seems to me that the question to be considered in the selection of Public Servants is the benefit to accrue to the masses of the people rather than to any particular class, either European or Native. The future welfare and prosperity of the people of India must

in a great measure depend upon the appointment to the Civil Service of zealous, energetic, and intelligent officers, thoroughly devoted to their duties, and the advancement of the interests of the inhabitants of the districts over which they are called to exercise control, with whom they must fully identify themselves. My experience leads me to believe that such officers are more likely to be found amongst men who enter the service young, than amongst those who attain a higher standard of education, but commence their public career at a later age, and to whom what may be styled the drudgery of office work is often distasteful and irksome. That men of high intellectual attainments are needed to fill many of the posts held by members of the Civil Service, more especially those connected with the Secretariat, cannot be denied; but, at twenty-three years of age, if superior to their fellow-scholars, they will have already made their mark, and will therefore be more disposed to enter one of the learned professions, or to turn their attention to literary pursuits, than to adopt an Indian career; whilst among the successful candidates at a lower age, subject as they are to the test of a severe competition, there will always be a larger number endowed with intellects far above the average, and, in some cases, of the highest order, and consequently capable of efficiently discharging the duties of any office to which they may be appointed. In a financial point of view it is moreover advantageous to the State that its *employés* should enter the service young. The cost of education in early life is less in India than in England, and in that respect our native fellow-subjects enjoy an advantage, whilst, if successful, they return to their native land instead of embracing a life of exile; still they are somewhat overweighted in being called upon to incur the risk and expense of coming to England for examination. Hence, to place them upon a better footing, I should strongly advocate the annual grant to every government, according to its population, of a certain number of scholarships of sufficient value to enable the recipients to prosecute their studies for two years in England. Even if unsuccessful in competing for the Civil Service, their time would not be lost, for they would acquire valuable knowledge fitting them to enter some other walk in life, whilst they would have a just claim upon the Government of India for employment in some of the various posts not specially reserved for members of the Covenanted Service.—Yours sincerely,

ORFEUR CAVENAGH.

MR MAHOMED ABDOL MAJID: Mr. Chairman, ladies and gentlemen,—In discussing this subject, which I believe every one in

this room will admit is very important, which we Indians especially consider of great importance to us, and which I believe every one must admit Mr. Settna has treated with great ability, and at the same time in a very moderate tone, I shall refer only to just two or three points which are material in my opinion, in this matter. Of course I do not need to go very minutely into the details which Mr. Settna has given us, but I will take only two points—first, the difficulties which are thrown in the way of the Indians who want to compete for the Service; and secondly, the inefficiency which the present system causes in the selection of officers for administration in India. Now, as to the first point, it is quite apparent that any native of India who wishes to compete for these Services must first educate himself thoroughly in his own country in the English language, and besides that, he must give a lot of his time to the study of those very subjects which are required especially for the Civil Service. And I believe that he cannot do that within the limit of age which is fixed at the present time; for I understand that at the present time the limit is seventeen and the maximum is nineteen—he must finish his education by seventeen, and therefore an Indian must first take his degree at the age of fifteen or sixteen, and then devote his time to the study of those especial subjects, and then he must come over to this country, which I believe is entirely impossible in many cases for any Indian to do at all. Now, sir, we have in our country an examination which we call the entrance examination, which a student passes generally, say, at about the age of fifteen or sixteen. Then if he enters into a college he must spend four years in order to take up a B.A. degree; that brings him to about seventeen or eighteen, so that his whole time is lost, and he can never come out to this country in order to compete for this examination. As has been observed by Mr. Settna, there have been lately some cases in which Indian youths have, on account of certain positions which their parents have occupied, finished their education by studying in this country for at least five or six years; but those were peculiar cases, and we do not find that every Indian parent can educate his child in the same way. As to the second point,—the efficiency of the present administration,—I believe the English youth who has passed a Civil Service examination here, passes what we call a term of probation of about two years, and then goes out to India at the age of twenty-one years, and the moment he goes out he becomes there what we call an assistant-magistrate of the third class, and then after a certain time he is given the charge of a certain portion of a district. Now it is indeed a great inconvenience to the people of the country,

say to the people of the pergannah, or the section of a province, to find themselves under the government of a youth who is not at all acquainted with their circumstances or customs, and who has had no experience at all of Indian affairs. Then after, say, three or four years this very youth, if he is well known, is either appointed a joint magistrate of the first-class, or in some cases seven or eight years after he is appointed magistrate of a district; he has given to his charge a district of perhaps two or three hundred thousand people. I am not able to give instances, but by way of illustration I would simply refer to what people say about the difference between the old civilians and the civilians of the present day. How is it that the old civilians were so much more esteemed and so much more liked than those of the present time? Simply for this reason: that the old civilians were matured gentlemen; they were experienced people, and people who had passed a great deal of their time in India before any province was committed to their charge. That was not like the administrative inefficiency which prevails in this branch of the Service at the present time. That shows that this limit of age instead of making the Service more efficient, and making the candidates more educated, and giving them a liberal training, acts exactly in the contrary direction. These civilians have not completed their education, they have not acquired that experience which is requisite for the administration of a province. And further, they have not their youthful passions cooled down by the influence of time, and of insight into life. I consider, sir, that one who is going to administer a country must be fit to deliberate, and it is very seldom that a mere youth possesses such a quality. Age and maturity of judgment, which springs from age, alone can make one a proper person to govern a country. But as we are discussing this paper in the interests of the Indians, whatever may have been the reason (and the reason has been given in this paper very plainly) which led to the reduction of the age from twenty-three to nineteen, we must admit that the Natives of India at present feel that that limit of age has been fixed in order to debar them entirely from the Civil Service. If that is the feeling that prevails not merely in one particular place, but throughout the whole of India, I do not see any reason why the Secretary of State, or any other person, should say it is not proper that the limit should be reduced. I would have liked Mr. Settna to have discussed all other points relative to this Civil Service question; the Statutory Civil Service which was established by Lord Lytton, and the question of what subjects candidates should be examined in. I believe, with Mr. Settna, that it is impossible for an Indian to come forward to compete in the Civil Service under

the present system; that system also puts the English youth to a great deal of inconvenience, because instead of sending him a maturely educated and experienced young man, it simply sends him a raw young man. I therefore think, sir, that it is most proper that the limit should be raised to what it was in former times.

LORD STANLEY OF ALDERLEY: Mr. Chairman, ladies and gentlemen,—The moderation of this paper reminds me of a published remark of your Chairman a short time ago, in which he said that he was surprised to find that the moderation of expression of the Natives of India when complaining of their grievances, was greater than he should be inclined himself to use when speaking on their behalf. I think it is due to the moderation of this paper that we find nobody has come forward to contest any of Mr. Settna's remarks, or to offer any opposition. I agree entirely with this paper, with one exception, to which I will allude presently. It is unnecessary to add anything to what has been already said as to the injustice of holding out hopes to the Natives of India of employment, and then to make it impossible for them to obtain that employment, by fixing such a low age as nineteen as the maximum age for competitive examination. I also think that examinations ought to be held in India, whatever may be the maximum age that may be settled upon. Both political and financial expediency absolutely require that a very large number of the Natives of India should take part in the Government, and that every facility should be given to them for entering into that Service. Now, I said that I took exception to one remark in the paper, and that is this; it appears to imply that Lord Salisbury fixed upon the age of nineteen, and that he had been induced to do so in order to put a check upon the entrance of Natives of India into the Civil Service. I am convinced that that is absolutely a false impression. I gathered from what Lord Salisbury said in the House of Lords on various occasions when this matter has been discussed, that there were two reasons which led to the fixing of the age at nineteen, and those concerned not the Natives of India at all, but were entirely adopted with reference to English candidates. One of those reasons was that they wished to avoid if possible that those who passed should be the result of the successful efforts of crammers, and the other was that which has been referred to in the letter of General Sir Orfeur Cavenagh. The General seems to think it is necessary for people to go young to India, or they would not get used to the country, and that if they delayed too long, they might get disinclined to go to India at all. Then with regard to Lord Lytton, I know from

Lord Lytton himself that he endeavoured to introduce Natives of India into the Services, and that he met with great opposition on the part of officials there; but what I know is entirely independent of anything that Lord Lytton may have said, and from facts which have come to me personally, and which I need not go into now. I know that he did introduce Natives of India into the Service, and that it was in spite of very much opposition on the part of the high officials in India. Now, I shall not say anything more with regard to the people of India, but I wish to make some objections to the present age of nineteen, simply in the interest of the English portion of the Civil Service. In the first place with regard to health, it is very objectionable that immature boys of nineteen should be started in India before their constitutions are settled, and when they are very liable to injure them; moreover, I think you may take it that the age for committing follies is between nineteen and twenty-two, when a young man gets out of the control of school, and before he has gained the experience of maturer life. When he attains his majority, again, he is able to run through whatever money he may have got at once, and any kind of folly that he may commit, is better committed at home in England than in India. Then with regard to experience, it is much better that these young men should wait till they are a little older. I must now come to another point referred to in the paper. Mr. Settna asks for any person here to suggest any alterations they may think beneficial in the examination of candidates. Now with regard to the English candidates, I wish to repeat what I have said on former occasions, that I object altogether to candidates for the Indian Civil Service being examined in German and Italian languages, which can be of no earthly use to them in India; I think they should have to pass a certain examination in one of the classical languages of India, either Sanscrit, Persian or Arabic. It is not only that by securing some knowledge of those languages, they would assist themselves in learning the vernacular of India, but it would also meet the remark of General Cavenagh, that if these men had made any mark for themselves after the age of twenty-three, they might seek to get on in the learned professions in England instead of following an Indian career. Let it be insisted on, that they shall pass a certain examination (which may have been crammed as much as you like), in some easy Persian, Arabic, or Sanscrit book; then afterwards let the examiners examine them in the "Anwar I Soheili," which is a large book quite beyond the reach of a crammer, or in the "Arabian Nights," or in the Sanscrit Epics. In that way the candidates will in a sort of way be allured to and pledged to an Indian career, and after they have got

that far, they will be less likely to turn back as General Cavenagh fears. Then there is another advantage in fixing the age at twenty-three, which is the maximum age that has been proposed; and that is, in order to prevent premature return to England of hale and hearty men who have already earned their pensions, and who, coming back to England, very soon become discontented because they find nothing to do. I have seen many of these men with brown beards, in no way suffering from the wear and tear of the climate, who have nothing to do, and are unable to find any occupation in England; one I am thinking of, who looked the strongest, had some office in connection with tea-planting; that was all that he could do, and he was certainly fit for much more. At the age when they retire, these men are just in their very best administrative capacity; they have a past experience, they have become calm, and then India loses their services. There is also the financial reason for postponing the limit of age to twenty-three, because, if these young men enter the Service at the age of twenty-three, that is,—three or four years later than they do now,—they will also attain their pensions three or four years later, and, in the great bulk of pensions, this will make a very large diminution in the payment for pensions. I am very sorry that we have none of the old Indian Civil Servants here to speak to the point, but there is one other thing I wish to say, and I should like some Indian gentleman of experience to throw some light upon the matter. I believe that the Englishmen in India now are very far inferior in knowledge of the languages of India—I mean both the vernaculars and the classical languages—to their predecessors of thirty years ago. One proof of that is, that the Asiatic and other learned societies in London, Calcutta, and Bombay, do not get the same number of papers sent to them by members of the Civil Service as they used to do.

Mr. W. MARTIN WOOD: With reference to the communication which has been read by our esteemed Chairman, General Sir Orfeur Cavenagh, I must confess myself, to say the least, disappointed. The General remains almost the only one of any consequence who opposes the raising of the competition age from nineteen. There is another dissident, not here to-day, perhaps,—that is, Mr. Roper Lethbridge,—who, in our last debate on this subject, took the somewhat peculiar view that, whereas nineteen is a very bad age, and twenty-three is the right one, twenty-one is worse than either. It is not easy to see how this position can be maintained, seeing that we are all agreed that any extension beyond nineteen will be a gain. This discussion has gone through so many stages, and been examined from so many different

points, that I think there can be no substantial objection; there should be no reasonable hesitation now in saying that one of the first things to be done is to raise this age. In doing this there would have to be some rearrangement, or some forward notice given; but I think every one who has any sense of responsibility in this matter must see that the present arrangement is intolerable. There has been one small change made in the right direction, though it seems to have been done in some curious way, but which, in fact, extends the limit half a year for most of the candidates. I am not aware myself—perhaps somebody present to-day can enlighten us—how that change was made. The method of this was in some way by altering the date of the examination as between January and June; but it virtually extends the limit of age half a year. Now, sir, this shows, at any rate, there is some executive power to extend the limit of age. This power may lie in the Civil Service Commissioners, in the Secretary of State in Council, or in the Privy Council, to make such a change. And if half a year, why not a year and a half? I think I may venture to say, sir, that supposing you were to consent to have a seat in Parliament next session, one of the first things you would do would be to see that this change shall be made. (Hear, hear.) We may fairly speak of it as one of the most urgent things that can possibly claim attention in connection with the subject. And in doing so I speak on behalf of the English candidates quite as much as on behalf of the Native candidates. The great object is to secure as thoroughly good and efficient administrators as can be, irrespective of their class or of their race; and I say it has been demonstrated by men of the highest standing at Oxford, by men who have been on the Civil Service Commission themselves, by competent testimony of all kinds, that this change was uncalled for, and has been most unhappy in its consequences. (Hear, hear.) That seems perfectly obvious. With regard to the quotation which Mr. Solina gives in his paper from Lord Lytton's Minute, that certainly is one of the most invidious passages that could have been penned, that in which he expresses an opinion that the time is not within measurable distance when a Native of India could expect to be placed in one of the highest posts of the country. Well, that shows the temper of the time; but since his Lordship left, a Native of India has sat as the Chief Justice of Bengal. (Hear, hear.) But I do not so much blame Lord Lytton personally for that. I think Lord Stanley suggested, some of the gentlemen about the Viceroy may have had a good deal to do with that invidious and deplorable paragraph quoted in this paper, and that it was their own class and race prejudices that inspired that foregone

conclusion. And we must remember that Lord Kimberley himself, in meeting the large deputation that went up to him last year on this subject, almost took the same ground, which may be paraphrased to this effect: "We cannot endure that any Native of India shall occupy one of these prominent positions, and therefore we might as well cease to hold out these theoretical expectations." Well, I say, that is a position which cannot be maintained seriously and permanently, certainly not in the face of the British Parliament. (Hear, hear.) As Lord Stanley has said—the subject, after the time under which it has been discussed, and from the point of view so well set out in Mr. Settna's paper, is really exhausted. One object of this meeting should be, if our Association can take any effective and practicable action, to induce our Council to take prompt measures to put pressure on the right authorities, so as to ensure that this change shall be made without any delay whatever—(hear, hear)—as I said before on behalf of the whole Service, on behalf of the English candidates quite as much as on behalf of the Indian candidates. And here I must confess myself as one who has always hesitated to support that very large change which Lord Stanley and many others do,—namely, that the entrance examination should be held in India. I know there is a great deal to be said for it, but, on the whole, it does not seem to be advisable; therefore, I say, so long as you do not do that, it is simply not only a bare-faced exclusion, but it is a most unworthy sham and pretence to say that you will allow Native youths to come to this country to enter into competition with your sons, and yet fix the age at a limit which renders it almost useless for an Indian youth to hope to succeed. (Hear, hear.)

Mr. PIYARE LAL: Mr. Chairman, ladies and gentlemen,—I think it is hardly necessary now for me even to say a word as to the desirability of raising the limit of age, because it has already been acknowledged on all hands for two reasons; because of the peculiar circumstances of the early education which the Indians have to go through in their own country, and because of the many more risks attending their failure in the competitive examinations than of the English candidates. What I wish principally to speak upon is the one fact which has been very painfully brought home to me by the paper which my friend Mr. Settna has just read, and that is, the total insincerity of the refusal of Lord Kimberley to listen to the prayers of the deputation that waited upon him last year. The very fact of his Lordship having urged the existence of the Statutory Civil Service as a ground for his refusal shows this too well. It proves,

almost to demonstration, the deep sympathy of his Lordship with the generous sentiments of Lord Lytton on this subject, as embodied in his memorable dispatch of 1878, an extract from which has been given by Mr. Settna. This is to be greatly deplored, especially when his Lordship could see, and plainly enough, through the narrow-minded policy which had dictated the creation of that Native Civil Service. That Service was not created to extend to the Natives any share in the government of their own country, but to debar them from it for ever. I do not know really by what name to designate this sort of diplomacy, but at the very best it was a very poor trick to keep us out of our just rights for a time. It certainly does no credit to Lord Kimberley to resort to the same trick, now that it has been discovered that it was so. It may have been worthy of a Conservative like Lord Lytton, but it is surely not in keeping with the spirit of Liberalism which is supposed to pervade the ministry of Mr. Gladstone. Now this examination into one of the grounds of Lord Kimberley will give you a clue to the right understanding of all his Lordship's other objections. His attitude, stripped of all the plausibilities by which it was surrounded, is plainly this: That the Indians are not to be given any of the higher executive appointments in their own country. Now, I will say no more about Lord Kimberley's attitude. It was my object to lay it bare before you, and to ask whether this is the attitude which the whole British nation is going to adopt towards India in the future. I will not say a word as regards the consequences which the realization of this attitude on the part of important English officers is sure to produce in the minds of Indians; whether it will bring this country nearer to their hearts, or whether it will shake their confidence in the promises of their rulers, I leave it for you to imagine. But before we altogether despair, we have a perfect right to ask whether this is the way in which English Governments and Viceroys, and the Ambassadors of the Queen are to keep the promises given by ~~her~~ in the proclamation of 1854, whether these Viceroys and Secretaries are the mouthpieces of the British nation, whether their words are to be taken as the words of the whole British people? Is this the way, gentlemen, how the British nation is going to justify its boast that it only conquers territories in order to give them the blessings of freedom? Is it from the adoption of such a narrow-minded policy towards its different dependencies that the British nation can claim to be in the first rank of civilized nations on this earth? If the answers to these questions be in the affirmative, I think there is an end to this discussion, because the attitude of Lord Kimberley on the matter is quite plain. I do not understand my

friend, Mr. Settna, when he says that he still suspects the case is not quite clear, because the very fact of his Lordship having made mention of the Statutory Civil Service, knowing very well, as his Lordship did, under what circumstances it was established, proves to my mind clearly, beyond any doubt, that the real object of the present limit of age is to prevent, by a means short "of illiberal legislation," the Natives of India from sharing in the government of their country, and to keep them enslaved now and for ever.

Dr. G. B. CLARK: Mr. Chairman, ladies and gentlemen,—Some years ago I gave a little attention to this question, and I remember reading a Blue Book which was published when the change was proposed. A circular had been sent out, and in the Blue Book the replies to this circular are printed, and I think if I remember aright from the Viceroy downwards, nine-tenths of all the reports from the various authorities were against any change. But the change was made; and I think we have a right to ask the question, Why was this change made? Was it because a late Viceroy, Lord Lytton, wished to contravene an Act of Parliament as he could not get that Act repealed? Because, in order to repeal an Act, you require to bring the question before the great English public, and they never would have allowed the principle of Her Majesty's proclamation, and the pledges which that proclamation made, to have been repealed if it had been honestly and openly proposed in the face of day; to do so yet indirectly, 21 & 22 Victoria was repealed by adjusting the age in order to prevent the Natives from entering the Civil Service. Now, I hold that opinion, and I think the whole of the evidence given to-day, and the extracts which have been read by Mr. Settna, which you have before you, show to us that the reason why the change was made, was to get rid of 21 & 22 Victoria. Now, if it was a good thing to lower the age of entrance into the Indian Civil Service, and if the same principle had been applied to the other branches of the Civil Service, I say, what was good for India was equally good for Ceylon, and if the Ceylon Service had reduced the age also, then I might have believed there was some other reason for the change; but as a matter of fact the Ceylon age is still twenty-three or twenty-four. If it had been applied to this country also, I could have understood that there was something in it, but as I find the Civil Service at home, and as I find the Colonial Civil Service is still as it was before, and that the only change that has been made is in India, I think that goes to prove that the reason why the change was made was to prevent Indians having places in the Civil Service, to prevent their being placed in

positions in their own country which Englishmen occupy in theirs. Now, another thing was done. The subjects for examination have been modified, several of the old subjects have been struck out, and some other changes have been made. We have already had our attention called by Lord Stanley to the fact that German and French, which are of comparatively little value, count very considerably as far as marks are concerned, while the natural sciences, geology, zoology, botany, and mathematics, are either struck out, or their value reduced. The facts are that the examinations are arranged as near as possible to fit in with the very bad system of education carried out in the English public schools. It seems to me that the whole thing has been changed for two purposes; the first is the political one, to prevent the Natives of India occupying a position in their own country to which they are entitled under the proclamation; and secondly, to play into the hands of the large public schools. Both of these are very bad things, and I am very sorry that a Liberal Minister of State should aid and abet a very bad system. However, it is only what I should expect from Lord Kimberley, but I think that the new democracy which will come into power by-and-bye, will do justice to India. I have listened very attentively to the observations which was in the letter read from General Cavenagh. I do not think they are worth the name of argument; and I should like to hear to-day what anyone on the other side may have to say in favour of the present system; and if those who support it are prepared to apply the same principle not only to India, but also to Ceylon; not only to places across the sea, but also to our own Civil Service at home. It seems to me that every effort should be made to bring pressure to bear upon the Cabinet to bring about a change, and to have the old age again re-enacted. It seems to me preposterous, even with the one half year that we have got, to think that a lad can fully understand his own mind, and be properly trained by nineteen. One of the arguments used is, if you like to wait longer and ~~let~~ the candidates have an University training, then they perhaps may change their mind and not go at all, and you had better catch people under false pretences. That was really one of the arguments in General Cavenagh's letter. If you have to catch people for India under false pretences, it seems to me absurd. I still think, that every effort should be made to bring about this change, not only on behalf of India, but also on behalf of this country; and I would almost go so far as to say that one of the conditions should be that every candidate should have a degree. By that means you might get rid of a section who do compete, and you would have, by a system of selection, the best men only competing. In the London University,

a man can get his degree by private study without attending any college, hence the old argument that only the rich could have a degree is obviated. Anybody may get a University degree without much cost in the London University. The old system gave you Masters of Arts and Barristers; the new system gives you men who are often neither fitted physically nor mentally for the work they have to do, and I can easily believe that there is a deterioration of the Service from both those standpoints.

Mr. A. K. CONNELL: Mr. Chairman, ladies and gentlemen,—I imagine that there is no one more conscious than myself of the very weighty arguments that may be adduced for further opening up the Civil Service of India to gentlemen of that country. I am well aware of the financial reasons and the political reasons; but at the same time I cannot conceal from myself the fact that there are very grave difficulties in connection with this question, and difficulties which, it seems to me, have not been sufficiently realized this afternoon. I am no admirer of Lord Lytton or Lord Lytton's régime, nor am I any admirer of the dogmatic way in which Lord Salisbury carried out some of the changes made in India during his term of office; but at the same time, I think that some of the difficulties which are pointed out by Lord Lytton in this memorandum of his are valid. I think that Lord Lytton is not so much here enunciating his own opinions, as that he is the spokesman of the English Covenanted Civil Servants; and we all know that any bureaucracy, and an alien bureaucracy especially, has prejudices and ideas of its own, and has its own interests to promote, and so forth. Yet, considering that the bureaucracy in India is at present largely English, we should not ignore their prejudices nor their interests. Now, I believe myself, that the strongest reason and the real reason why this limit of age was fixed, was that people in England and in India began to think that the Native gentlemen of India were getting into the Indian Civil Service too quickly. The question is, are the objections to the Native gentlemen of India getting into the Civil Service reasonable objections, or are they mere clique reasons, or what you might call bureaucratic reasons, and ought they to be brushed aside? Now, what are the difficulties? Let us take the question of administration. As you all know, India is divided into districts, and at the head of each district at present there is an English officer of some fifteen years' standing, and under him there are three or four subordinates. He is a sort of French *prefect*, and he gives his orders to those assistants, and they divide the district

between them. Now, I will say this, that however low a point of view we may think it, I am perfectly certain, from mixing very much when I was in India with the junior members of the Civil Service, that it will be very difficult to reconcile Englishmen to serve under the native gentlemen of the—I will not say the conquered race—but of the race which is not dominant. It is simply human nature, that when people belong to a dominant race they do feel a very strong objection to serving under a member of the race which is not dominant, and that I maintain is a fact of human nature which we cannot ignore. I know it will be said, look at the Judicial Service: there are a large Number of Native gentlemen who are judges even in higher posts; but I say that that the two Services or the two lines, the administrative line and the judicial line, are not exactly parallel. In the Judicial Service a subordinate judge sends up his cases to a higher Court, therefore there is not that personal friction between men in the judicial line, if they are men of different race, and men of different ideas, that there would be in the administrative line, where you have the direct order given by your superior to yourself. Therefore I think it is of no use ignoring the feelings of Englishmen belonging to the Service. I do not say whether they are right feelings or wrong feelings; I only say they exist, and that Lord Lytton, in stating that to be the case, stated what I am quite sure anyone who has moved in India knows to be the case. (Hear, hear.) Then it is said, assuming that we get over this difficulty (and I certainly for one would be only too glad to see a practicable scheme whereby the Civil Service might be further opened up to Native gentlemen—I think it is most desirable—I think it is absolutely of the highest importance, but I cannot shut my eyes to the difficulties), assuming, I say, that these difficulties can be got over, assuming that these Native gentlemen can gradually fill not only the lower but the higher appointments in the Civil Service, so that, say fifty years hence, the ~~main~~ staff of the administrative Service may be Native, with only a few English, what would then be our position? I understand that even those who would support most warmly the opening of the Civil Service admit, that for many years to come, the Military Service must be kept in English hands. You therefore come to this position, that the Civil administration is to be in the hands of natives, whereas the Military Service is to be in the hands of Englishmen; and then I would ask whether the spirit of a dominant and alien race will not be intensified when the members of that race hold only the military places, and have not their feelings mollified by service in the Civil ranks? I shall be very glad for anyone to point

out how that difficulty can be got over, certainly I should be only too glad to hear of any means whereby it might be obviated. As far as my reading of Indian history goes, since we have been in India the best form of Government has been that which existed under Sir Mark Cubbon in Mysore. For twenty years that form of administration was mainly Native, with a few English officers at the top of it, and I think anyone who knows anything about the history of Mysore, will say that it was in a most prosperous and most flourishing state; but I admit at the same time, if that is to be our ideal, if we are to have a Civil Service supervised roughly by Englishmen, but on the whole composed of Native gentlemen, then the question arises, how are you to train the Europeans who are to hold the higher posts, or some of the higher posts, if they are not to hold in the first instance the subordinate posts? I believe myself that in any administration such a combination of Western and Eastern methods is not for the whole of India very feasible, and that the only way in which it would be possible without friction between members of the dominant and the non-dominant races—I do not wish to use the expression conquered or subdued, for I think that those who were not convinced before, must have been convinced by what Professor Seeley said of the inappropriate nature of that term—I say simply the dominant and non-dominant races, it seems to me then the only feasible plan to prevent this friction would be that certain districts should be given over in certain provinces, one district being given in a Native administration, and the other to European; and let them, through a process of emulation, see which can in a certain series of years produce the best results. I think in that way it might possibly be that the friction might be removed. A Native gentleman behind me (Mr. Mahomed Abdool Majid) spoke about the contrast between the old Indians and the young Indians. He seemed to think that that was largely due to the age at which they went out.

MR. MAHOMED ABDOOL MAJID: I referred to the experience which they acquired by being most of their time in India before they got to the district in their charge.

MR. CONNELL: But I gather that their experience must depend largely upon the age at which they went out. For myself, I agree with the gentleman on my left in thinking that there is a great and undesirable contrast between many of the Anglo-Indians of the present day, and those of the past, but I think the causes are many, not only one. I think the causes are the greater communication between

India and England, whereby people are continually coming home to spend their furlough, instead of spending it in India; and I think also the competitive examination system, which has broken down a long line of traditions of past Anglo-Indians of different generations, so that a boy does not now hear in a kindly friendly spirit of his father's connections with India and so on, and is not brought up in that atmosphere; but perhaps he begins to only know India or think about it when he is nineteen, and I think that perhaps is a much more potent, and perhaps an irremovable cause than the mere question of age or experience connected with it. Well, I may almost be said to be taking up the position of *advocatus diaboli*, as in some way trying to explain the motive which led Lord Lytton to state these difficulties, but I feel sure that no good is done by closing our eyes to the difficulties of any movement, and again I can only say that I think that the whole future of India depends upon solving this problem; but certainly I do not think it has been solved. (Cheers.)

Mr. THOMAS HUGHES, q.c. : Mr. Chairman, ladies and gentlemen,—I confess I feel grateful to the gentleman who has just addressed you. I was very glad to be able to come to-day, being so seldom in London, but on my way here I felt how difficult it would be to have any discussion upon the question which has been brought before the meeting to-day, because as it seemed to me the arguments are all on one side. We have, however, had the germs of a discussion no doubt in the speech which has just been made with respect to the position of Englishmen in India, as members of a dominant and alien race; no doubt that is the great trouble which we have to face upon all these questions, the spirit of a dominant and alien race which Anglo-Indians are too apt to cherish. But the gentleman who has put this plainly before us, has not addressed himself in the least, so far as I can gather, to the question which we are here to consider to-day, and that is the question of the age at which the candidates are to be admitted in future to the examinations for the Indian Civil Service. Now I should like very much to have heard any arguments which he could have adduced upon the other side, but he entirely ignored the question, and gave us no argument whatever against the extension of 'age to the former count, except the general one, that we are bound for our own sakes, to keep the Indians out of the Government of their own country.

Mr. CONNELL : I did not make that statement at all. I said it was most desirable to admit them, but I did not wish to shut my eyes

to the grave difficulties of the question, and I said it seemed to me that those difficulties were hardly appreciated at this meeting.

Mr. THOMAS HUGHES, Q.C.: I quite admit that that is so, that the difficulties possibly may be hardly appreciated. I myself cannot see them at all. But I do feel very strongly with the speakers who have spoken already. Lord Stanley has put the case as to the English boy, but I think that the case is even more strong as regards the sons of Natives. Now, just put yourself in the position of father of a clever boy in India, and conceive what the risks are in sending him off, as he must be sent off at the age of fifteen or sixteen, into the neighbourhood of London, right away from all his connections, from any paternal or other influences, to work for three years for this competition. I say no English parent in his senses who did not wish to ruin his boy would send him off at the age of sixteen to Calcutta to prepare for an entrance to an Indian University for any competition over there. And it is perfectly monstrous that we should make such a requirement as regards our fellow-subjects of Indian birth, who are inclined to come and compete for entrance into these Services. I should be quite prepared to admit this. I think there might be considerable arguments as to the question of age, if there were also an examination for the Civil Service in Calcutta, Bombay and Madras, and other centres in India. We have set up colleges there, which give most valuable education. They have been turning out hundreds of young men for the last twenty-five years, just as competent for these positions as Englishmen, and that being the case, it seems to me a matter of the most obvious justice that the opportunity should be given to them of competing fairly for those positions. They cannot possibly compete fairly as long as they have to come over to England at that age; and while the examinations are conducted not only on the English system, but in England instead of in India, it is not giving them the least equality; it is a mere sham to say that it is; and ~~until~~ that it is done I do not see how we can possibly suppose that there will not be a sore feeling, and as strong a feeling on the subject amongst all educated Indians as there appears to be at present. I quite agree that it is the first duty of this East India Association to make a strong point of this with the Government in every way they can, so that this injustice may be done away with.

The CHAIRMAN: Ladies and gentlemen,—As the time is getting on, I think it is necessary that I should draw the proceedings to a close by endeavouring to sum up as well as I can the discussion that we have had. I think we all owe a good deal of gratitude to Mr. Connell

for having made a diversion in the debate, which was all on one side until he spoke. I know Mr. Connell's ideas about India well enough to feel sure that anything that he said was not uttered in any unfriendly spirit towards the Natives of India. There are very few men in this room who have done more for the cause of the Natives of India than Mr. Connell has. He has been one of their most able and reasonable supporters. I am sure that anything we have heard from him has been spoken with the very best intentions towards them, and I am also quite certain that what he said has not injured their cause in the least. The whole object of this discussion seems to me to rest on one issue, but it is an issue which may be understood in more than one way. It is put by the Chairman of this Association I think very well where he says that, after all, the whole question of examinations for the Civil Service, and of the Civil Service itself, depends upon the question whether it is for the good of the Indian people. We of course care nothing for the Service, we who care for India; what we care about is those for whom the Service is made; and it will depend entirely upon what is best for India. But again, what is best for India may be considered from different points of view. According to Lord Lytton and those who think with him—and I fancy that the majority of the Services in India do agree with his idea—India can be best administered by Englishmen, and therefore all endeavours in the way of improvement should take that into account, and must not in any way impair the efficiency of the English Service. That, I take it, is Lord Lytton's point. I remember hearing him make a speech in the House of Lords to that effect. He said, that English administration was the one thing for India, and therefore all things must yield to that particular point of increasing the efficiency of the English Service. Now, as to the increasing the efficiency of the English Service on the particular point of the age of candidates, it has, I think, been very well argued by my friend, Mr. Settna, that a low age is not an advantage to the Indian people. I cannot understand, myself, Sir Orfeur Cavenagh's contention that the younger a man is when he goes out to India, the more interest he is likely to take in the country, and the better justice he is likely to do to the Natives of India. My own idea on the subject is entirely contrary to that. I remember when I was going to India the other day, I sailed in company with a number of young fellows from Cooper's Hill College. These were young men, I suppose, of eighteen, nineteen, or twenty years of age, or something of that sort. Well, I heard a good deal of their conversation on the way out, and I know that they were absolutely unfit to have any discretion as to their conduct towards an Eastern people, or any other people, except a

people they knew. Their ideas were absolutely brutal with regard to any race but their own. They were too ignorant; they had faults of temper; they had had no experience of life which would enable them to take large and generous views of their duties towards the people of other races. I can say it for myself; I know perfectly well what it is; when I was a young man I was exactly like that; I had no sympathies whatever for any race except my own; I was hasty tempered; I was arrogant; I was impatient with all manners and customs except my own; I am certain that at the age of nineteen or twenty I was absolutely unfit to be in any position of authority over any Eastern people. I say it is only after a certain number of years' experience, after a certain amount of trouble, suffering, and sorrow in life, that one can possibly come to sympathize with other races; and the older a man gets, and the longer he has lived, the more likely he will be to be in sympathy with those alien races over whom he has to rule. I can say this, because I have lived a great deal abroad and know what it is. Well, gentlemen, that is my opinion as regards the question of age, looked at from the point of view of Englishmen competing for the Service. Now as regards the Indian gentlemen who would compete, I think Lord Lytton's is the only argument possible in favour of a low age of entrance. Lord Lytton's argument is that the Natives of India should be excluded from the Service, and according to his ideas he is perfectly right and logical. He says, the lower you put the age, the more certainly they will be excluded from the Service, and he is perfectly logical and right. But that is a point that we do not discuss, because we consider there are other reasons which make it absolutely necessary that the Natives of India should have a chance of entering these Services, and that they should be good servants when they have entered it. Certainly, when the age was higher they had a better chance of entering, and also a better chance of being fit to enter; and I am strongly of opinion, and I think that everyone who has spoken this evening has been strongly of opinion, that it is far better for them, and for the Service, and for India that they should enter in that way. All Mr. Connell's arguments of course depend upon Lord Lytton's argument as to whether India is better governed by Natives than by Englishmen. The only point which I think he has put very strongly, and which I confess I do not feel myself competent to deal with, because it is one that I have not thought of before, is that supposing that ideal state which he says existed in Mysore, and which perhaps is the ideal which we should all look forward to—viz., of there being a few Englishmen in the higher positions and all the lower positions being filled by Natives of India—

there would then be no gradual Service which would enable Englishmen to qualify themselves for those high posts, but I am not at all sure that that preliminary Service is really essential. I am inclined to think that the Englishman who would best discharge his duties towards the Natives of India in the higher posts, would be one who had spent part of his life in England in gaining those large views of liberty and liberality of thought, which one gains in England, rather than one who had lived in an official groove all his life. I am not at all sure that anything would be gained by this gradual education in official work. However, that is a question which I do not feel altogether competent to deal with.

Mr. W. HODGSON (Madras) : May I say that the Mysore Commission was not composed of civilians ; it was almost exclusively made up of military men taken straight from their regiments, and having no administrative education at all.

The CHAIRMAN : That rather goes in favour of what I say.

Mr. W. HODGSON : Yes, generally.

Mr. A. K. CONNELL : At any rate, they had spent a large portion of their lives in India.

Mr. W. HODGSON : After they were on the Commission ; but they were not selected in that way.

The CHAIRMAN : However, I am ignorant upon that point ; it is a new one to me, and it seems a point of very great importance. Of another point Mr. Sottna has reminded me. It appears that in Ceylon, which is a country with very much the same condition as India, the maximum age for entrance into the Civil Service is not nineteen or twenty-three, but twenty-four. This, if correct, is most important ; for why, if it is good for Ceylon, is it not good for India ? I think you may almost always argue from Ceylon to India ; Ceylon is under very similar circumstances ; there they have pursued a very Liberal system instead of the very illiberal system which has been pursued in India, and the people are very contented ; the Government is quite as good, and the administration is just as orderly as it is in India. Then, I must entirely agree with Mr. Hughes as to the great desirability of the examinations being held in India ; but that is not precisely the point which we have been discussing to-day. In con-

clusion, I think we may thank Mr. Settna for his very valuable paper, and also thank the gentlemen who have contributed to the discussion. I am very much obliged to you, also, gentlemen, for the kindness with which you have listened to my share in the discussion.

Mr. A. K. SETTNA: Ladies and gentlemen,—Before we part I hope you will cordially join with me in according a hearty vote of thanks to Mr. Wilfred Blunt for presiding this afternoon. Mr. Blunt has been more than a formal president; he has urged points and arguments with much more ability than I could have done. Whatever differences of opinion there may be about Mr. Blunt's particular views on this or that question, there can hardly be any doubt that whatever proceeds from him proceeds from the most honest and sincere sympathies with the Oriental races. I do hope Mr. Blunt will continue to show that vivid sympathy which he has shown towards all the Eastern races, and that he will not be discouraged by any adverse criticisms that may from time to time be passed upon him. Such criticisms are, I am afraid, the inevitable followers of people who speak their own honest feelings and convictions. I now ask you, gentlemen, to accord your hearty thanks to Mr. Blunt for presiding. (Cheers.)

Mr. C. W. ARATHOON seconded the resolution, which was carried unanimously.

The CHAIRMAN having suitably responded, the proceedings concluded.

The following letter was subsequently received from Lord LAWRENCE:—

THE MANOR HOUSE CHETWODE, BUCKINGHAM,
January 21st, 1883.

DEAR SIR,—I regret extremely that I have only just received your letter, as well as the paper you propose reading. I am very glad to have the opportunity of going carefully through it.—Yours faithfully,
LAWRENCE.

A letter was also received from Professor BRYCE, M.P., expressing his regret that his absence from London prevented him from attending the meeting.

As time did not permit, Mr. SETTNA was unable to make a reply at the meeting. He has therefore subsequently sent in the

following:—In making a short reply, I take the opportunity of tendering my thanks to those who either at the meeting or by letter took a part in the discussion, and also to all the ladies and gentlemen who honoured me by their presence. Now, as regards the letter of Gen. Sir George Balfour, I am very much surprised to see Sir George accusing me of proposing a great revolution. I am simply advocating to go back to a system which was certainly superior to the one it is replaced by. I do not see any reason why we should wait for that until we have effected the important improvements Sir George Balfour suggests. General Sir Orfeur Cavenagh's letter has been to a great extent answered by other speakers—particularly the Chairman. I will only add that even the establishment of scholarships or any other innovations will not relieve the Indian candidates of the great disadvantages they labour under, in having to compete here at the age of nineteen. Mr. Connell's argument is only the old story respecting the prejudice of what he calls the bureaucracy in India—the prejudice, to wit, against the Natives of India entering the Civil Service of their own country. This prejudice, which is simply another word for what Professor Rogers calls the jealousy, is, to use the learned Professor's words, "as general as it is unworthy," (see page 81). Let us hope that the English Government is not going to countenance any such prejudice at this hour of the day. I will only say in regard to some of Mr. Connell's expressions, that he ought to know by this time that there is no such thing as a governing caste in India. Having nothing else to reply to, I simply conclude by referring the reader to my letter in *The Times* of January 29th, on the subject of this paper.

The following memorial was sent to Lord REAY before he left London :—

*To the Right Honourable BARON REAY,
Governor-Designate of the Bombay Presidency.*

From the Council of the East India Association.

May it please your Lordship,—

This Association being instituted for the promotion of the public interests, and welfare of the inhabitants of India generally, we may be permitted to congratulate your Lordship on your appointment to the responsible and influential post of Governor of the Bombay Presidency, wherein large opportunities await you of promoting the prosperity of Western India, and of contributing to the progress of the various and interesting races that dwell within the sphere of your future Government.

1. As the Association has a Branch in Bombay, and a large number of its members are residents of that Presidency, we venture to think there is some special fitness in our thus addressing your Lordship.

2. From its physical characteristics and the great development of commercial energy, arising from the possession of maritime territory more than a thousand miles in extent, the Bombay presidency differs widely from most other divisions of the Indian Empire. To one like yourself, already accustomed to study the social and economic condition of continental nations, the diversity of affairs that have to be dealt with by the administration of Western India will present much attraction, while your well-known habits of observation inspire confidence in your ability to carry to a successful issue the task imposed upon you by Her Majesty.

3. The sea-borne trade of Bombay, which in 1883-4 amounted to more than sixty million pounds in value, comprises an enormous extent of commercial transactions, which result in considerable profit to this country, but it is also essential that it should equally be rendered advantageous to the producers and traders of Western India. To this end two main conditions are needed, namely, that communications shall be rendered as effective and cheap as possible, and that the water supply shall be stored and distributed so as to serve the wants of agriculture, and protect the people against droughts.

4. With regard to communications, much has been done on most of the main routes of Western India, but transport is still too expen-

sive for bulky products, and some of the internal districts are far from being adequately served by country roads, bridges, and ferries. Moreover, much remains to be done in facilitating access to and from the coast, and in improving the harbour accommodation at several points of the littoral, in its vast extent from Karwar on the south to Kurrachee on the north-west. The facilities for coast navigation by country craft are of immense importance for aiding agriculture and developing trade, and we feel assured that your Lordship will recognize the direct practical bearing public works adapted to these objects must have on the welfare of the people. In carrying such works into effect, you would receive valuable aid and co-operation, not only from the zealous public servants of all departments, but also from many enterprising members of the native community.

5. In regard to water supply the Bombay Presidency has, throughout the greater part of its extent, an abundant provision from the annual monsoon, which causes an enormous discharge in all the districts within range of the Ghauts. On the other hand, the physical configuration of the country is not nearly so favourable as on the eastern side of the peninsula for the distribution of that supply. Much has been attempted towards meeting these two opposite conditions, but more systematic efforts seem to be required so as to render the abundant water supply of Western India available for the irrigation of the arid districts of the Deccan, of Kattawar, Kutch, and Sindh. We would venture to submit that, by intelligent direction and initial outlay of public funds, the agricultural populations of the Bombay Presidency may be induced to co-operate in this invaluable work.

6. The economic condition of the peasantry of Western India cannot fail to attract your Lordship's earnest attention. The sad loss of life from drought which occurred in the Deccan in 1877-9, was only a severe manifestation of the chronic poverty of the cultivators that had been previously demonstrated by the disturbances amongst the ryots in 1875, and fully described in the Report of the Commission that investigated those occurrences. The attention of our Association has been directed to this subject, and to the proposed means of relieving the pressure of pecuniary distress amongst the ryots, by the establishment of agricultural banks, and we beg leave to forward the report of a meeting when proposals to this effect were formulated by Sir William Wedderburn, a member of the Bombay Civil Service. These proposals were so far adopted, both by the Bombay and Supreme Governments, that it had been determined that the experiment of an agricultural bank should be fairly tried in one of the Deccan districts. Recently,

however, we have been informed that the Indian Council has delayed or forbidden the carrying out of this moderate and tentative measure, so that, even before your departure from England, your Lordship might perhaps have it in your power to exert your influence towards obtaining the reconsideration of that adverse decision. We feel the more emboldened to urge this because we are well aware that your Lordship must have observed the working on the Continent of various plans for providing systematic financial aid to the agricultural community.

7. Closely allied to this subject is that of promoting the revival or introduction of indigenous mechanical arts, so that the masses of the people may not as now be almost entirely dependent on agriculture and its attendant precarious labour. On the occasion of Sir Evelyn Baring's departure from Bombay, the branch of our Association, in the address presented to him as retiring Finance Minister, laid great stress on the valuable practical service in furtherance of the foregoing object rendered by the Government, of which he had been a member, in directing that all stores for the use of the several departments of the State, that could be purchased in India as cheaply, or nearly so, as through the India Office in England, should be so obtained. Various powerful interests in this country, as well as in the presidency towns of India, are opposed to this policy, but we trust that, with the view of raising the standard of industrial efficiency in India, your Lordship will use your efforts to give to local trade and industry such countenance and encouragement as is implied by the bestowal of this legitimate measure of State patronage and support.

8. There is one special movement in this direction in Bombay itself on behalf of which we may with confidence solicit your Lordship's active co-operation. In commemoration of the Marquis of Ripon's Viceroyalty, the people of Bombay and Western India generally have resolved to found a well-organized school of Technical Industries. This intelligent effort to supply by voluntary association one of the now peculiarly pressing requirements in the Indian economic and social system, cannot fail to claim your Lordship's approval, and, we trust, effective individual counsel and aid.

9. Your Lordship has probably already followed to some extent the thorough investigation which the subject of public instruction received two years ago in every province of India at the hands of the Special Commission under the presidency of Dr. W. W. Hunter, Director General of Statistics. No one, we venture to submit, can be more qualified than your Lordship for exercising a sound judgment as to the conclusions arrived at as the result of this exhaustive enquiry.

With the restricted funds at the command of Indian administrators, it is not easy to satisfy the claims both of primary and collegiate education, but we feel sure that no one can discriminate better than your Lordship between the relative value of both, and that under your administration the cause of public instruction in the Bombay presidency may be expected to show new and extensive development.

10. Your Lordship will scarcely need to be reminded that, however good administration may be, and however perfect the protection and educational tutelage enjoyed by the nation, such benefits will fail in their results unless the people themselves actively participate in that administration, and in the management of their own affairs. Advances in these directions have been made more freely, in some respects, in the Bombay Presidency than in other parts of India. Hence while the moderate financial decentralization measures initiated under Lord Mayo had already come to work smoothly, the people in Western India were quite ready to appreciate the recent extension of local self-government promulgated under Lord Ripon's Council, and loyally accepted by Sir James Fergusson as Governor of Bombay. We are convinced that your Lordship's thoughtful and ministering efforts will not fail to be exerted towards the promotion of intelligent management of village concerns, and municipal affairs.

11. From this topic of local autonomy, the transition is natural to the larger and more distinctly political subject of entrusting the well-qualified natives of India with some well-defined share in the higher administration of their country, and participation in its executive government.

The Statutory Civil Service, as it is called, was intended to afford some set-off to the hard condition of proceeding to England, in order to pass by the straight gate of competition at an unduly early age; but that method is perhaps open to the reproach of being a revival, in another shape, of the discarded principle of personal favour and patronage; nevertheless it affords a recognized means of enabling the people of India to participate in the work of higher administration, an object which we doubt not your Lordship will be anxious to promote to the utmost extent compatible with the interests of the public service.

12. There is one other topic that cannot fail to attract your Lordship's attention in connection with your administration of the territories under Bombay, that is, the position and prospect of the numerous Native states in Western India. Many of these, though small in extent, have an ancient origin and lineage, and during the struggling

period of early British rule, their Chiefs often proved themselves our invaluable allies, while all are more or less bound to us by treaty and other engagements, entered into on the basis of mutual advantage between the paramount power and themselves. The rapid changes that have affected all India, during the last fifty years, have influenced these Native States in very various degrees, causing them in many instances to claim anxious oversight and liberal consideration from the Bombay Government, whose powers are in this respect somewhat larger than those of the other local Governments in India. The rulers of these States have given many signal instances of their loyalty to the Crown, and their willingness to accept the guidance of the Bombay Government, when that is offered in such a manner and through such direct personal intercourse as the Princes and Chiefs have been accustomed to appreciate. The sometimes frigid methods of modern bureaucracy are alien to the traditions of these ancient chieftains; and it is probable that your Lordship may find one of the most specially interesting branches of your highly responsible duties, will consist in visits to the native States within your jurisdiction, and in cultivating personal and friendly relations with their Chiefs and Sirdars.

13. In conclusion it only remains for us to wish your Lordship God-speed in the task you have undertaken. Though thereby voluntarily withdrawing yourself from the exciting struggles and tempting prizes of political life at home, we trust, that in the deeply interesting work of Indian administration, which, when seen in its proper light, may well absorb the fullest energies of those charged with its responsibilities, your Lordship will find a congenial sphere for the exercise of your varied powers, so that not only during the tenure of your Government of Bombay, but in far future years your name may come to be associated, in the true Imperial sense, with those of the illustrious men who founded and have consolidated the British Empire in India, to the lasting benefit alike of India and of the United Kingdom.

I have the honour to be, my Lord,

Your Lordship's most obedient Servant,

ORFEUR CAVENAGH,

*Chairman on behalf of the Council of the
East India Association.*

9th March, 1885.

JOURNAL
OF THE
EAST INDIA ASSOCIATION,
Instituted for the independent and disinterested advocacy and
promotion, by all legitimate means, of the public interests
and welfare of the Inhabitants of India generally.

ANNUAL MEETING,

20th MAY, 1885.

THE ANNUAL MEETING of the East India Association was held on WEDNESDAY AFTERNOON, MAY 20TH, 1885, in the rooms of the Association, 26, Charing Cross, London, S.W., under the Chairmanship of Sir RICHARD TEMPLE, Bart., G.C.S.I., C.I.E., LL.D., D.C.L., President of the Association.

In opening the proceedings, the CHAIRMAN said the meeting would doubtless be disposed to adopt the usual course of taking the Report of the Council and the audited accounts as read, seeing that they had been previously circulated. The Report showed, on the whole, a satisfactory record of useful work. During the year they had had to lament the loss, by death or resignation, of a few of their members, but there had been a considerable accession of new members, amongst whom it was satisfactory to notice there were some native gentlemen. In its sphere, the Association seemed to do what it could, and during the year, some important papers had been read, and upon the subjects considered there had been a free expression of independent opinion of all kinds; and, generally, the Association appeared to be fulfilling its normal functions. He had confidence, therefore, in recommending the Report of the Council for adoption, and he moved accordingly.

SIRDAR KRISHNA SINGH seconded the resolution.

Mr. W. MARTIN WOOD, being called on by the President, said, he thought the year's record was somewhat better than the Reports of some former years; and it must be conceded that the Report indicated a degree of activity and usefulness on the part of the Association. But there was no doubt that, in the opinion of some of the friends of the Association, especially in India, there might be more activity and demonstrativeness in their proceedings. That was a matter, of course, which rested within the power and competence of the Council, and he had no doubt they would fairly consider it, open as he knew they were, to receive suggestions. The Chairman had rightly remarked that some of the discussions which had taken place in the past year had been very useful; but the great difficulty was to excite that amount of lively and practical interest in the minds of the British public which would give impetus to Indian improvement and reforms, and provide a sort of check upon any uncertain or irregular changes of policy which the Indian Government has occasionally been prone to. One of the functions of the East India Association was, he presumed, to review and criticize the action of the Indian Government, as occasion arose. Now they had not done much in that way, nor was he there to urge any extraordinary activity in that field; all he wished to remark was, that some of the friends of the Association considered they might do more. And if some of their new members would assist in this direction, perhaps the Council might be willing to accept their contributions. The Report made reference to the death of Sir Lawrence Peel, who was for many years President of the Association, and although he (Mr. Wood) did not know him personally, many members from the other side of India did, and he was known to others from his influence in connection with the Association, and his contributions to various journals upon Indian subjects. He was a man of clear insight into the relations of England and India, animated with lively sympathy with the people of India; and with these two invaluable qualities he combined a special literary faculty, which he employed to the advancement of the interests of India. He was, in fact, a man of very similar tendencies and aptitudes to their respected and lamented colleague, Mr. E. B. Eastwick. Of the late Colonel A. B. Rathborne, whose death was also referred to, he might say, that he was known to many of the members of the Association personally, and, certainly, his zeal and assiduity, and his readiness to assist and take part in all the proceedings of the Association entitled him to the

record which appears in the *Journal*. He was, indeed, of an order that is rapidly passing away from Indian experience; but there were others remaining, and it was much to be desired that they should enter the ranks of the Association, and give it similar assistance.

In reply to a question from the Chairman, Mr. W. HAMILTON BURN (Secretary), stated that the proceedings of the Association were regularly forwarded to the Library of the India Office.

The Rev. JAMES LONG suggested, that it would be more effective to send them to the Secretary of State for India. At the India Office Library they would simply be buried without hope of resurrection.

The CHAIRMAN concurred, that it should be the object of the Association to influence opinion at the India Office more than anywhere else.

General Sir ORFEUR CAVENAGH, K.C.S.I., said their view was, that they should seek to influence public opinion, for, without it, application might be made again and again to the India Office, and quite in vain.

The CHAIRMAN observed, that public opinion was a very difficult thing to reach; opinion at the India Office was more feasible; and he thought the Secretary of State, for the time being, would be inclined to listen to what the East India Association had to say. Hence, he thought the Report of the Association's proceedings should be sent to the private Secretary, or the Parliamentary Secretary of the Secretary of State for India, or both of them. To send the *Journal* direct to the India Office Library was scarcely more than interment.

In reply to further questions from the Chairman and others, it was stated that every effort was made to interest the Press of this country in the work of the Association. Not only are invitations to attend the meetings sent to the editor of every morning and evening journal in the metropolis, but the London representatives of the leading provincial, Indian, and Colonial newspapers are included in the list. Copies of the papers to be read are also widely circulated among the newspapers; and a *precis* of each discussion is despatched to all the London, and a large number of the provincial, Indian, Colonial, and

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In reply to a question from the Chairman, Mr. W. HAMILTON BURN (Secretary), stated that the proceedings of the Association were regularly forwarded to the Library of the India Office.

The Rev. JAMES LONG suggested, that it would be more effective to send them to the Secretary of State for India. At the India Office Library they would simply be buried without hope of resurrection.

The CHAIRMAN concurred, that it should be the object of the Association to influence opinion at the India Office more than anywhere else.

General Sir ORFEUR CAVENAGH, K.C.S.I., said their view was, that they should seek to influence public opinion, for, without it, application might be made again and again to the India Office, and quite in vain.

The CHAIRMAN observed, that public opinion was a very difficult thing to reach; opinion at the India Office was more feasible; and he thought the Secretary of State, for the time being, would be inclined to listen to what the East India Association had to say. Hence, he thought the Report of the Association's proceedings should be sent to the private Secretary, or the Parliamentary Secretary of the Secretary of State for India, or both of them. To send the *Journal* direct to the India Office Library was scarcely more than interment.

In reply to further questions from the Chairman and others, it was stated that every effort was made to interest the Press of this country in the work of the Association. Not only are invitations to attend the meetings sent to the editor of every morning and evening journal in the metropolis, but the London representatives of the leading provincial, Indian, and Colonial newspapers are included in the list. Copies of the papers to be read are also widely circulated among the newspapers; and a *precis* of each discussion is despatched to all the London, and a large number of the provincial, Indian, Colonial, and

weekly journals. And, as the result, although Indian topics are too commonly neglected by the press at home, the work of the Association is more generally reported and noticed than that of any similar institution in this country.

Mr. MANCHERJEE M. BHOWNAGREE took occasion to remark that, as an Indian, and one having some opportunities of learning the views and opinions of the people of India on the proceedings of the East India Association in London, they were not regarded with satisfaction, and that the home body had to a great extent lost the confidence of the different communities in India. The East India Association owed its origin to the energy and devotion of Mr. Dadabhai Naoroji, and it was essentially by native energy that funds were found for its inception, and are still to a great extent found to carry it on. Without referring more specifically to any one topic, he might point to a matter which recently stirred the feelings of the people of India deeply, and that through the length and breadth of India, but in which the East India Association were very far from reflecting the sentiments of the people whose interests and aspirations they were supposed to represent. It may, indeed, have expressed the opinions of a certain class, but that class was very small. In this connection, he would take the liberty of reading an illustrative extract from a representative native journal, which he was sure reflected the opinions of the native population of Western India, viz., *The Indu-Prakash* :—“It is much to be regretted that the East India Association in London showed no sign of any movement in doing honour to Lord Ripon. The Association was established for the disinterested advocacy of the rights of the natives of India in England, and for directing the attention of the English public to a sound policy in respect of Indian questions. It owes its existence to the support given it by the princes and people of India. The arrival of Lord Ripon was just the time when it should have shown its loyalty to its supporters. But its behaviour has gone far to confirm the misgivings we have for some time past had as to its work. The real interests of the people of India appear to have come to be regarded by the Association as of secondary importance in comparison with the interests of Anglo-Indian ascendancy, which have ruled paramount in the counsels of its managing committee. The result is that it has lost the confidence of its original promoters and supporters in India. The sooner our countrymen see how long that body can afford to play fast and loose with their best interests the better it will be for the country.” This, though an extract from

only one native paper in Western India, was, he would venture to say, a fair representation of the opinion generally entertained of the East India Association. Without referring to its attitude in respect to the Ilbert Bill and other subjects, he was certainly of opinion that the return of the late Viceroy should have been made the occasion of an expression of opinion with reference to certain vital matters which occurred in the *régime* of Lord Ripon, matters in which the people of India were profoundly concerned, and regarding which their feelings were aroused to an unprecedented extent. He emphasized this contention on the ground that Lord Ripon's administration was the period when most of the principles which the Association was supposed to advocate had been attempted to be acted upon. But the East India Association had abnegated its duty as a representative in London of Indian interests, and did nothing, or worse than nothing. Turning to another topic, Mr. Bhownaggee said that he understood that the Council of the Association had resolved not to allow a resolution to be submitted at the public meetings of the Association—not even a motion for adjournment—and here again, he warmly urged, was a striking at the very root of the original object of the Association. If no resolution was proposed after a debate, to what conclusion had they arrived? How could the opinion of a meeting be otherwise elicited? He hoped the time was not far distant when the Council would see the justice and propriety of rescinding so objectionable a decision, and revert to a course which certainly was in contemplation by the founders of the Association.

The CHAIRMAN said he understood that the Council had considered a proposal made to them that an addition be made to the bye-laws, providing for the submission of resolutions at the Association's public meetings, and the minutes of the Council bore the following entry:—"The Council considered a proposition that an addition be made to the bye-laws regarding resolutions at meetings. The Council decided that no resolutions should be allowed at meetings convened by this Association." This was in October last.

Mr. M. M. BHOWNAGGEE said it was this injunction which he considered infringed upon the very spirit and intention of the organizers of the Association. It must be a great obstacle to the proper carrying out of the true functions of the Association and detrimental to its interests. It was to be regretted that all reference to so important an act of the Council should have been omitted from the Report; and the result could only be to increase the feeling of

annoyance and disappointment with the proceedings of the Association which had existed in Bombay for the last three years, or more.

Mr. G. C. WHITWORTH said he was not disposed to take exception to Mr. Bhownaggee's references to the supposed inadequacy of the bye-laws to allow of a formulated expression of the opinions of a majority of the members on any given occasion. But as regards Mr. Bhownaggee's strictures on the course of the Council regarding Lord Ripon, he owned he thought them unreasonable. The Association's function in London was not merely to echo the sentiments of any class or classes in India; it was to indicate the individual opinions of the members who constituted the Association at the time. If it was thought proper to propose any action, it should have been at the time of Lord Ripon's home-coming,—not now, when the occasion had passed. It was open to anyone to find out whether it was the general opinion of the Association that the suggested action was proper, and the Council could have taken action accordingly.

General Sir ORFEUR CAVENAGH said that if Mr. Bhownaggee thought that any body of English gentlemen who were doing their best, as far as they knew, for the good of all classes of Her Majesty's subjects in India, would allow themselves to be dictated to by anybody, he was utterly mistaken; and it was a most unusual course for a branch to attempt to prescribe the course to be pursued by the parent Association. The East India Association was formed for the purpose of considering subjects concerning all classes of the people of India; and there never had been the slightest attempt to prevent anybody from expressing his opinion with perfect freedom on any topic. The pages of the *Journal* furnished ample evidence that the freest discussion was welcomed on every subject, as well in the papers read as in the subsequent debates. And in thus acting the Council did what they considered their duty, quite irrespective of what those not members of the parent Association might be pleased to consider they ought to do. The resolution referred to by Mr. Bhownaggee and made the text of his criticisms, was not accepted by the Council because experience had proved its inexpediency, and it was not the rule of any similar society in this country, such as the Society of Arts and the United Service Institution. In these societies papers were read and discussed, but no resolution was submitted, for the reason—and this reason particularly applied to the East India Association—that sometimes half or more of the whole number present were not members of the Association; and thus it might happen that a resolution binding

the Council would be adopted at the instance of pure outsiders collected because of their special interest either in the question submitted or in the essayist or lecturer. The inconvenience and danger of the Council being thus pledged to a course of action were obvious; hence the decision at which they arrived on the resolution submitted to them by Mr. Martin Wood in October last.

Mr. C. W. ARATHOON said that while he felt considerable sympathy with Mr. Bhownagree, he must say he greatly exaggerated the importance of the native element in the Association. In the London Association there were something like two hundred members, and about ten native gentlemen, and this simple fact would show how large a proportion of the funds for the carrying on of the work of the Association were furnished by the Anglo-Indian element. He could not help thinking that the severe remarks of the writer in the *Indu-Prakash* would not have been made had he been aware of the constituency of the London Association, and that the revenue of the Association was principally derived from the funds of the members, little or nothing coming from the Bombay Branch. But upon the question of permitting a resolution to be submitted at the Association's meeting, he owned he felt considerable sympathy with Mr. Bhownagree's views, for he thought the cream of the meeting was taken off when no definite issue was obtained.

Mr. MANECKJEE BYRAMJEE DADABHOY said he was afraid there was some sort of an understanding between Mr. Martin Wood and Mr. Bhownagree for now insisting that resolutions should be allowed at public meetings of this Association. He was of opinion that it was not the proper time for discussing that question, as Mr. Wood and Mr. Bhownagree were reticent upon this subject when the Annual Report was framed by the Council, and so it was undesirable to dwell upon the point any longer.

Mr. A. K. CONNELL, on the other hand, expressed his agreement with General Cavenagh as to the inconvenience of passing resolutions at the Association's meetings. The great argument for an Association such as theirs was that it furnished an arena for the free discussion of Indian affairs; and this function it certainly performed. At the same time he had always felt that the memorials and representations addressed by the Council to the India Office and high Indian officials were frequently open to criticism. He did not know whether they represented the opinions of the whole of the Council, or of a large or

small majority ; but he did know that on many of the most important subjects the opinions of the members of the Association were very much divided.

The CHAIRMAN observed that as, at first sight, it might appear that his views regarding the question of resolutions were similar to those of Mr. Bhownaggee, he would call attention to what passed at the last Annual Meeting. On that occasion his friend, Mr. W. Martin Wood, had been pointing out that certain memorials had been addressed by the Council of the Association to the Indian Government, and he had expressed the opinion that the number of such efforts might be usefully increased, and that with "so large and experienced a Council, such practical work might be easily undertaken." Upon this, he (the Chairman) appeared to have said, "I quite endorse the remarks that fell from Mr. Martin Wood, as to the great importance of maintaining the discussions from time to time, and also of our embodying the result of these discussions in some memorial. The test of our working and the outcome of our deliberations is undoubtedly the memorial. Unless you arrive at some conclusion, embodied in a written statement, you cannot be sure that your work has been effected, or that your labours are likely to be fruitful. Therefore I do hope that whenever you have a discussion you will endeavour to come to some practical issue." Now, it did not occur to him that these remarks could be quoted as an authority for having resolutions passed at the Association's meetings. For, obviously, what he was referring to was the remarks of Mr. Wood which he understood referred to functions of the Council. (Hear, hear.) And to that opinion he adhered. He still thought they should have resolutions and memorials from the Council; but that was very different from having them from the public meeting. The objections had been stated by previous speakers, and they were indeed quite manifest. With many of the papers read and the speeches made the Council could not in the least concur; nevertheless, encouragement was given to their production because healthy discussion was thereby promoted. But a resolution committing the Association was quite a different thing; and having a large and varied experience of associations similar to this he could quite confirm the statement made by General Cavenagh and other friends that the passing of resolutions is not the custom. He must warn the meeting that the East India Association could not be kept up if Mr. Bhownaggee's doctrine were to prevail, for many who have great pleasure in helping it on in its work could not be associated with it were it subject to the risk of

being hurriedly committed to doctrines to which they could not in the least subscribe.

Major-General R. M. MACDONALD said there was one point which had escaped Mr. Bhownaggee's notice. He seems to have supposed that while the Council had sent certain representations to Lord Dufferin and Lord Reay they had entirely refrained from expressing any sympathy with the work of the Marquis of Ripon. But a reference to the Report of the previous year would show that the Council had sent an expression and sympathy with some of the late Viceroy's measures.

Mr. W. MARTIN WOOD said the address referred to by General Macdonald was one sent by the Bombay Branch.

General Sir ORFEUR CAVENAGH said this was not the case. The memorial of the Council was sent to the Secretary of State for India, and it bore on certain measures in which the Marquis of Ripon was interested.

Mr. W. MARTIN WOOD cited several instances in the records of the Association where resolutions had been submitted and adopted at the meetings of the Association, with important results. What, indeed, was now asked was a reversion to the original practice of the Association, and he strongly urged that the difficulties set up by the Chairman and by Sir Orfeur Cavenagh would be found of little practical consequence and could be easily guarded against. The East India Association differed from other societies in this country to which reference had been made, inasmuch as it was under obligation to follow out as far as it could, the objects and the line of action which their supporters in India desired.

After some further conversational discussion, the Report of the Council was unanimously adopted.

Major-General R. M. MACDONALD then moved:—"That the election of the following members of Council be confirmed:—Thomas H. Thornton, Esq., C.S.I., Venerable Archdeacon Baly, Dr. G. W. Leitner, Maneckjee Byramjee Dadabhoy, Esq., William Cornell, Esq., Mancherjee M. Bhownaggee, Esq., Francis Mathew, Esq."

Mr. W. T. A. COSBY seconded the motion, which was adopted unanimously.

Mr. T. H. THORNTON, C.S.I., moved: "That the six retiring members of the Council be re-elected, viz., John Shaw, Esq., William Taylor, Esq., W. Martin Wood, Esq., Roper Lothbridge, Esq., C.I.E., C. W. Arathoon, Esq., General Sir Orfeur Cavenagh, K.C.S.I., the election of Mr. P. M. Tait to be considered the eighth member retiring." Mr. Thornton said these names needed no recommendation. In General Cavenagh they were honoured by the aid of an officer of eminent distinction, and varied and lengthened experience. Mr. C. W. Arathoon represented a small but important community, the Armenians, in India; he was a distinguished barrister in England, and his services to the Association were invaluable. Mr. Lothbridge was an officer of great experience in educational departments in India; and Mr. W. Martin Wood has attained a most honourable position in connection with Indian journalism, and was associated with a newspaper which had always upheld the claims of the people. Mr. W. Taylor's lengthened and useful connection with the Association was well known, and the sound judgment and ripe knowledge of Mr. John Shaw had always been most valuable to the Council and the Association.

The Rev. JAMES LONG seconded the resolution.

The SECRETARY, (Mr. W. Hamilton Burn) read the following letter from Mr. P. M. Tait:—"Devonshire Club, Eastbourne, May 9th. "My dear Sir,—In reply to your favour of the 8th inst, I beg you will "convey to the Council my very great regret that sickness in my "family has obliged me to be much away from London, and so has "greatly interfered with my attendances at the Council meetings of "the East India Association. But I am now endeavouring to make "arrangements for returning to London permanently, in which case I "would be able, of course, to comply more strictly with our rules. "The Council will, of course, act as may seem to them best in the "interests of the Association. I am very willing to remain a member "of their body, and to give the interests of the Association my best "support, in which case, of course, I would understand that, whether "here or in London, I would feel myself bound to comply with the "rules, and do all in my power to promote the interests of the Association. I should say that there are a large number of retired Indian "employees permanently resident here, and that I have repeatedly "mentioned the Association to them. If desired, I could more formally "introduce the matter.—Yours faithfully, P. M. TAIT, F.S.S., F.R.G.S."

The resolution was then adopted.

Mr. C. W. ARATHOON proposed that in the place of Mr. Soltna, who was returning to India, Pandit Bishon Narayan Dāy be elected to the Council.

The Rev. JAMES LONG seconded this, and it was adopted.

The CHAIRMAN proposed that General Sir Richard Meado, K.C.S.I., be elected to the remaining vacancy on the Council.

Mr. C. W. ARATHOON said he had great pleasure in seconding this.

The motion was adopted.

General Sir ORFEUR CAVENAGH said, that as Chairman of the Council of the Association the honour fell to him to propose "That Sir Richard Temple, Bart., G.C.S.I., be re-elected President of the Association for the ensuing year." A reference to Sir Richard's eminent official career must be superfluous in such a meeting as theirs, but a word would be necessary in recognition of the services rendered to the Association by the President, and of the interest he constantly manifested in all that concerned the welfare of India. This was the third occasion of Sir Richard Temple's election, and the members would know that he not only presided on these occasions, but was always willing to take the Chair at other times when called upon if circumstances allowed, furnishing sound and valuable advice, and never more valuable and useful than during the present meeting. (Hear, hear.)

Mr. MANEOKJEE BYRAMJEE DADABHOY, seconded the motion, which was adopted with cordial unanimity.

The CHAIRMAN said he had great pleasure in accepting the office for the fourth time consecutively, and was all the more gratified that the motion should have been made by his honoured friend, General Cavenagh, and so cordially accepted by a meeting containing so many friends, both European and Native. He could assure the members that, although rather a busy man in politics and general affairs, and concerned in a great variety of topics both at home and abroad as a public man, nevertheless, he would give as much time and attention and energy as he could spare for the work of the Association. He would do this because—notwithstanding the sharp criticism

which had fallen from some of the members during the meeting—he believed that the Association was performing a very useful function—the function of giving scope to free, independent, and impartial opinions regarding current affairs in India, of encouraging every gentleman who has got anything to say that is really worth saying, and that is supported by facts and statistics and by reasonable and cogent arguments, to come forward and test them in public discussion. He was convinced that by giving this scope to individuals who sought it they were most likely to help in forming a public opinion amongst those sections of the British public who ultimately direct the course of affairs in India; and most likely to afford a stimulus to thought and to make people take an interest in the progress of India and its people. They might depend upon it that it was only by this friction of thought with thought, of argument with argument, and the collision of free opinion, that healthy and progressive action could be promoted. The great danger was that interest and attention should flag in regard to India: for England is a very busy country, and her interests and concerns, and, unhappily, her anxieties, extend right round the habitable globe; so that in this, the very centre of the Empire, people are much pre-occupied. And only by encouraging people who possess knowledge, leisure, experience, and earnestness to come forward and express their opinions, can it be hoped that attention can be gained for a subject like India. Influenced by these convictions, he had consented to act as the President of the East India Association, and he looked for continued and useful work on the lines he had broadly indicated.

A cordial vote of thanks to Sir Richard Temple for presiding over the meeting terminated an unusually prolonged sitting.

ANNUAL REPORT, 1884-5.

YOUR COUNCIL, in submitting their Report for the year 1884-5, are again able to congratulate the members on the steady and increasing prosperity of the Association.

The Council are pleased to observe that the Association is becoming more generally known and its usefulness appreciated.

During the sitting of the Indian Railway Committee of the House of Commons, at the desire of the India Office, your Council were glad to be able to depute, as their representative to be examined as a witness before that Committee, Mr. J. R. Bullen-Smith, C.S.I., to whom the Council desire to express their best thanks. It affords the Council gratification to remark that the suggestions of Sir William Wedderburn, advocated in the paper he read before the Association in July, 1883, for the establishment of Agricultural Banks in India for the relief of the ryots, have been to a certain extent adopted by the Government. Your Council have to express their sincere regret at the retirement of the Rajah Rampal Singh from the position he had long held of Vice-Chairman; Major-General R. M. Macdonald has been elected to fill the vacancy thus occasioned.

Your Council regret that they have hitherto been unable to obtain a free copy of *The Gazette of India*, either from the Home or Indian Government.

In addition to submitting a variety of subjects of public interest to India for discussion before well attended meetings, your Council have prepared, as shown by the following summaries, three very important papers during the period under review.

LOSSES BY DEATH.

The Council deeply regret to have to record the death of the Right Hon. Sir Laurence Peel, for many years President of this Association, and of Colonel Anthony Blake Rathborne, for many years a most active member of Council of the Association, and latterly one of its Vice-Presidents. Obituary reports appears at page 173 of the present volume. The Council also regret to report the death of the following members of the Association:—Michael Thomas Bass, Esq. (for many years M.P. for Derby); F. B. Chatterjee, Esq.; Roger H. Pawsey, Esq., and Dr. G. F. Trimnell.

RESIGNATION OF MEMBERS.

The following gentlemen have resigned their membership since the last annual meeting:—Henry George Keene, Esq., C.I.E.; Cornelius B. Pao, Esq.; General Sir George Malcolm, K.C.B.; Sir W. Guyer Hunter, K.C.M.G.; John Dacosta, Esq.; General Crawford Cooke; Peter Rylands, Esq., M.P.

ELECTION OF MEMBERS.

The following gentlemen have been elected since the last annual meeting:—Robert Major Holborn, Esq.; Roger Henry Pawsoy, Esq.; Arthur William Crawley Boovey, Esq., B.C.S.; Archibald Rogers, Esq.; The Venerable Archdeacon Baly; Hyde Clarke, Esq.; Thomas Henry Thornton, Esq., C.S.I.; Frederick Thomas Atkins, Esq.; Robert Fellowes Chisholm, Esq.; Mrs. Sarah S. Gostling; Bram Stoker, Esq., M.A.; Frederick A. Nicholson, Esq.; Joseph Robert Kirby Johnson, Esq.; William Cornell, Esq., Retired B.C.S.; Joseph Foster, Esq.; James Sewell White, Esq. (late Judge of the Calcutta High Court); Maneckjee Byramjee Dadabhoy, Esq.; Piyaro Lal, Esq.; Sardar Krishna Singh Kapur; George Baird, Esq.; Sir George Welsh Kellner, K.C.M.G.; Walter J. Cooper, Esq.; Pundit Bishen Narayan dar; George Clifford Whitworth, Esq., B.C.S.; Mancherjee M. Bhownaggee, Esq.; Umar Buksh, Esq.; Frederic Pincott, Esq.; George Chambers, Esq.; M. Abdul Julil, Esq.; Robert Brown, Esq.

The following gentlemen have been elected members of the Council since the last meeting:—Thomas H. Thornton, Esq., C.S.I.; The Venerable Archdeacon Baly; Dr. G. W. Leitner; Maneckjee Byramjee Dadabhoy, Esq.; William Cornell, Esq., Retired B.C.S.; Mancherjee M. Bhownaggee, Esq.; Francis Mathew, Esq.

According to the terms of Article 12, the following Members of the Council retire by rotation, and the Council with the exceptions of Mr. Settna, who is about leaving for India and does not seek re-election, and Mr. P. M. Tait, who has left London, recommend their re-election:—Ardeshir Kavasjee Settna, Esq.; John Shaw, Esq.; P. M. Tait, Esq., F.R.G.S., F.S.S.; William Tayler, Esq., Retired B.C.S.; W. Martin Wood, Esq.; Roper Lethbridge, Esq., C.I.E.; O. W. Arathoon, Esq.; and General Sir Orfeur Cavenagh, K.C.S.I.

The following Addresses and Memorial have been presented:—

1. Congratulatory address by a deputation to His Excellency the Right Honourable the Earl of Dufferin on his appointment as Governor-General of India (which will be found reported at length in *The Journal of the Association*, pp. 38-40 of the present volume).

2. Similar address to Lord Reay on his appointment as Governor of the Bombay Presidency, which is reported at length at pp. 113-7 of the present volume.

3. Memorial to the Secretary of State for the Colonies on the subject of an ordinance relating to natives of India recently passed in the Straits Settlements which, together with a copy of his Lordship's reply thereto, is annexed.

26, CHARING CROSS, S.W.

10th February, 1885.

To The Right Honourable,

The EARL of DERBY, P.C.,

H.M.'s Secretary of State for the Colonies.

MY LORD,—I have the honour, by desire of the Council of the East India Association, to forward for your Lordship's consideration copy of a letter with enclosure received from Penang on the subject of an ordinance relating to natives of India, recently passed in the Straits Settlements. As the ordinance is not before the Council they are unable to express an opinion as to how far it is in accordance with the provisions of the Indian Act No. 5 of 1877; but presuming that in that Act sections 39, 42, 43, 44, and 45 are governed by the definition expressed in section 2, there certainly appears to be no reason why traders and other respectable natives of India resorting to the Straits Settlements should be in any way brought under its operation.

I have the honour to be, my Lord,

Your Lordship's most obedient servant,

ORTEUR CAVENAGE.

Chairman of Council.

[REPLY.]

DOWNING STREET,

19th February, 1885.

SIR,—I am directed by the Earl of Derby to acknowledge the receipt of your letter of the 10th instant, transmitting, by desire of the East India Association, a copy of a letter received from Mr. Wainhouse, of Penang, with a copy of a memorial addressed to the Governor of Madras by certain Indians residing in Penang, on the subject of an Indian immigration ordinance recently passed by the Legislature of the Straits Settlements.

In reply, I am to state that a similar communication has been received at this office direct from Mr. Wainhouse, and that the Governor of the Straits Settlements has been requested to inform him, that the Government of India have considered the provisions of the ordinance

to which the memorialists object to be required in the interest of the Indian immigrants of the labouring class, but that the Colonial Government will no doubt take care that the ordinance is enforced in such a manner as to cause as little inconvenience as possible to Indians who are not of the labouring class, and that the memorialists are mistaken in supposing that such persons, when they have obtained, either before leaving India or in the Colony, the certificate required by the ordinance, will be any longer subject to its provisions, but that on the contrary, the object of the certificate is to secure them from being treated as subject to the ordinance.

I am further to state that the opposition to the ordinance is reported to be subsiding on its real character becoming understood.

I am to add that the Indian Act No. 5 of 1877, to which you refer, was repealed before the Straits ordinance was brought into operation.

I am, Sir, your obedient servant,

EDWARD WINGFIELD.

GENERAL SIR ORFEUR CAVENAGH, K.C.S.I.

The following papers have been read since the last annual meeting:—

THE NORTH-WEST FRONTIER OF INDIA.

On Monday afternoon, May 12, 1884, under the Presidency of Colonel G. B. Malleson, C.S.I., Mr. H. G. Keene, C.I.E., read a paper entitled "The North-West Frontier of India." The lecturer reviewed the history of the mountain barrier on the north-west frontier of India, and described, with the aid of an elaborate map, the points of importance. He said that the possessor of the lands on the western side of Afghanistan held one of the principal approaches to India, though Cabul was at least equally commanding, and he contended that it was as necessary to the peace and welfare of Cabul as to the tranquillity of India that those approaches should be guarded by a friendly power. As Colonel Malleson had said in one of his works, "No invasion was possible as long as Hindostan kept in her own hands the keys of her fortress, the passes leading to her fertile plains." The lecturer referred to the later history of the provinces, and, dealing with the present position of affairs, pointed out the danger which would arise from a second European state being on the borders of our Indian empire. He then alluded to the steps which, it was believed, the Government of Great Britain were taking in the matter, and stated that it was understood that a boundary line of neutral ground was being fixed, and he insisted that Russia should be

informed in unequivocal terms that any trespass on that ground would be regarded as an overt act of hostility, which would be met by the dispatch of a British squadron to the Baltic and a blockade of Russian ports; while Persia, if there was reason to believe that she connived at the trespass, could be dealt with by the appearance of a squadron in the Gulf, where a force could, if necessary, be landed. Should the Ameer of Cabul desire it, assistance could be given in the way of strengthening the frontier line. These measures would be sufficient, but the determination of the Government to defend the frontier should be made known fully. He concluded his lecture by observing that he had been endeavouring to establish three points—(1) that a friendly influence in Afghanistan, with easy access to the Helmand Valley, and a well-founded confidence in the attachment of the peoples of India, are our main sources of strength; (2) that our naval power is the best guarantee for whatever line we may lay down, if it be done with due resolution; (3) that, while not doubting that the British Government is fully informed, it is necessary for the assurance of the public mind, both here and in India, that the world of friends and foes should participate in the information.

A discussion followed the reading, which, with the paper, will be found reported in full in Vol. XVI., pages 149-178, of *The Journal of the Association*.

SELF-GOVERNMENT IN INDIA.

On Tuesday afternoon, May 27, 1884, a meeting was held at the Westminster Town Hall, under the presidency of Sir Richard Temple, Bart., G.C.S.I., when the subject for consideration was an elaborate paper written by Dr. G. W. Leitner on the subject of "Self-Government in India." It was largely circulated, and being very lengthy, Dr. Leitner delivered an address on the subject.

Dr. Leitner in his paper dwelt on the indigenous elements of self-government in India, with special reference to the Punjab, and more particularly in matters of education, as illustrated by the history of the Punjab University movement, from 1865 to the establishment of a branch in London in 1884. In the course of the paper Dr. Leitner urged that whatever view might be held as regards the expediency of the so-called experiment of self-government in India, there could be but little doubt as to the appropriateness of its introduction as regards education—at once the best and safest concession. He was therefore constrained to hold that the recommendations of the recent Indian Education Commission, especially if carried out in the spirit of their report, would retard that consummation, by practically diverting the funds for higher and mass education to the enlargement of the

official administrative machinery (unless recourse be had to an increase of taxation in a singularly distasteful form), by suppressing the motives of native liberality, of which such numerous and signal instances have been given; and finally, by creating a general spirit of disaffection in their proposed dealing with indigenous schools, the evil results of which could scarcely be overrated. In drawing attention to a consideration of the circumstances which serve to prove that the constitution of native society in India is emphatically autonomous and republican, Dr. Leitner contended that any interference with that autonomy (such as, for instance, is still in a large measure preserved in the administration of castes and tribes) must inevitably lead to the destruction of the Government, however liberal and well-intentioned, that may attempt to anticipate by official measures the course of gradual social dissolution. The identification, on the contrary, of those elements in India that "have a stake in that country" with the British Government by means of their own revered associations, must alike maintain British rule, and further the cause of civilization, which can only be real if it rests on an indigenous basis and progresses with a natural development.

A discussion followed the reading of the paper, which, with the paper, will be found reported in full in Vol. XVI., pages 211-352, of *The Journal of the Association*.

EUROPEAN PAUPERISM IN INDIA.

On Monday afternoon, June 23, 1884, a meeting was held in the Council Room, Exeter Hall, under the presidency of Sir Richard Temple, Bart., G.C.S.I., when the Venerable Archdeacon Baly read a paper entitled "European Pauperism in India."

The Lecturer pointed out that the total European population of India has been computed at between 200,000 and 300,000, and that it is increasing rapidly, owing to the extension of the railway system and the development of the resources of the country. But the increasing pauperism has made it become a very serious problem how the indigenous European population of India shall be maintained as a self-supporting and profitable community, and aided in their struggles against the natural climatic conditions and cheap native labour. Archdeacon Baly urged that the first measure for the solution of the problem was to provide education and employment for the children: and the second to provide employment for the adults. But at present at least half of the European boys in India are not receiving an education which will fit them to get their living, and sufficient means for providing such education do not exist, although there is

reason to believe that there is employment available for every able-bodied, sober, industrious, intelligent, and honest European in India. The rev. gentleman therefore strongly urged that more schools and colleges should be provided for the European population, and that the peculiar position of this class in India gives them a strong claim for liberal assistance from the Government.

A discussion followed the reading of the paper, which, with the paper, will be found reported in full in Vol. XVI., pages 353-398, of *The Journal of the Association*.

THE PRESERVATION OF WILD BIRDS.

On Friday afternoon, July 11, 1884, a meeting was convened in the rooms of the Zoological Society, No. 3, Hanover Square, under the presidency of Professor Flower, LL.D., when Mr. Robert H. Elliot read a paper "On the Preservation of Wild Birds in India." He pointed out that every civilized Government, with the exception of that of India, has recognized the value of birds as insect-eaters, and has adopted measures for their preservation; and that the absence of legislation forebodes, where it has not yet presented, serious results to planters and agriculturists. As the most convenient season for the destruction of birds is during the fine weather that succeeds the heavy rains of the monsoons, and as this season is also the breeding time, the destruction of insect-eating birds proceeds at such a rate as must soon lead to almost absolute extermination, unless preservative measures are immediately adopted.

A discussion followed the reading of the paper, when it was generally agreed that legislation on the subject was desirable, and it was resolved that a representation to that effect should be addressed to the Government of India.

The paper together with the discussion will be found reported in full in Vol. XVI., pp. 399-419 of *The Journal of the Association*, which, according to the wish expressed at the meeting, was forwarded to his Excellency the Viceroy and Governor-General of India, and to their Excellencies the Governors of Madras and Bombay.

THE MUTUAL ADVANTAGES OF THE CONNECTION BETWEEN ENGLAND AND HER INDIAN EMPIRE.

A largely-attended meeting was held on Monday afternoon, November 24, 1884, in the Lower Hall, Exeter Hall, under the presidency of General Sir George Balfour, K.C.B., M.P., when a paper was read by General Sir Orfeur Cavenagh, K.C.S.I., entitled "The Mutual Advantages of the Connection between England and her Indian Empire."

General Sir Orfeur Cavenagh, in an interesting paper on the subject, maintained that the possession of our Eastern Empire was an important trust, to be administered not merely for our own benefit, but for the good of the millions of human beings brought under our rule, and whose destinies for good or evil rested in our hands. He avowed his pleasure at being able, under the auspices of an Association formed with the object of advocating equally the removal of real grievances and the introduction of salutary reforms, to show conclusively the important advantages that mutually accrue from the connection of the two countries, in the hope that all subjects of Her Majesty might recognize the necessity of maintaining the supremacy of British influence, which to the one race brings an increase of national power and prosperity, and to the other the blessings of personal liberty and public peace. Although not boldly and honestly asserted, it has been certainly implied, that the wars in India, including the conquest of the Punjaub, the campaign against the Ameers of Sind, the Great Mutiny, and all the minor affairs on the north-west frontier, had been conducted at the expense of Great Britain, and cost the inhabitants millions of money. Yet not only had the people of Great Britain not been called upon to pay one penny towards the expenses of those various campaigns, but there was reason to believe that the conditions under which the accounts appertaining to military expenditure were adjusted were upon the whole favourable to the Home Government. It would be unworthy of Englishmen to allow the country in which they had introduced the benefits of modern civilization to relapse into a state of semi-barbarism—the country upon which they had so long bestowed the blessing of peace—to again become the scene of discord and blood-shed; for if the humanizing influence of our moral and military control were withdrawn, the whole of the country inhabited by the weak races of Bengal Proper and Southern India would soon become a prey to the incursions of the warlike tribes of the North-West, and centuries might elapse ere those races would regain the legal rights and freedom they now enjoyed. Although the numerous lines of railway, network of canals, and other public works, constructed mainly by British skill, and principally by British capital, testified to the endeavours we had made to ensure the material prosperity of the people, we had a still more important task before us—of fitting them for self-government, and of teaching them to understand and fully appreciate the blessings of political liberty. This task might take ages to fulfil; for although India could count some able and enlightened men among her upper classes, they were still the exception, whilst, as

yet, but little influence had been brought to bear upon the masses. The nationalities amongst which education had perhaps made the greatest strides were not those best fitted to enforce order amongst their fellow countrymen. We must look for rulers amongst the educated men of the sterner races, and the process by which they were to be inducted into power must be of an extremely gradual character. When that process had been completed, we might honourably sever our connection with our Eastern dependency, provided that we could find some ruling authority sufficiently able, just, and powerful to worthily succeed to the sovereignty. We might then be willing to resign; but here would be the difficulty, for the ruling power of India should command the confidence of all classes, of all creeds; its impartiality should preclude the followers of any one religion or sect obtaining a preponderance of power in the State, whilst it should be strong enough to compel respect and obedience to the law throughout the extent of its dominions. From which, he asked, of the various and antagonistic races by which India is populated, would the ruling element be selected? Long ere this question could become ripe for discussion, the fact which he had essayed to prove, that the interests of the two nations were so interwoven as to be identical, would, he hoped, be fully acknowledged, so that no Englishman would then be found to advocate their separation; whilst the people of India, recognizing the advantages derived from forming a portion of the British Empire, and confirmed in all their privileges as British citizens, would have no wish to withdraw from our rule, but would feel a pride in claiming the right to call themselves the subjects of the greatest, and, at the same time, the most beneficent, monarchy in the world.

A discussion followed the reading, which, with the paper, will be found reported in full in *The Journal of the Association*, pages 1-38, of the present volume.

THE INDIAN CIVIL SERVICE.

A meeting was held on Wednesday afternoon, December 17, 1884, in the Council Room, Exeter Hall, under the presidency of General Sir Orfeur Cavenagh (Chairman of the Council of the Association), when a paper "On the Indian Civil Service," by Nusserwanjee Shereajee Ginwalla, Esq., of Broach, Bombay, was kindly read by Roper Lethbridge, Esq., C.I.E. In this paper, after referring to the monster meetings lately held in all the chief cities of India, with the object of procuring the extension of the present limit of age for the admission of natives to the Covenanted Civil Service, and to the

appeals which had been made to the Government to place the natives on a footing of equality with the English civilians, by letting them into all the higher appointments, Mr. Ginwalla suggested a middle course, which might be satisfactory to all parties, and soothe the ruffled spirit that pervaded India on the subject. He proposed to modify the existing statutory and Covenanted Services; to shut out the natives of India from the latter altogether, and to organize and establish a separate and independent Civil Service in India to which they alone should be admitted to the exclusion of Englishmen and Eurasians; that successful candidates, immediately after passing their examination in India, should be required, without exception, to make a sojourn of about two years in England, in order to finish their education: and that the limit of age should be extended to twenty-seven years. He proposed to do away altogether with the system of nomination by patronage, as he believed that nothing of real importance could be done until that system was superseded by one conceived on broad lines of State policy, and the actual circumstances or political exigencies of India.

This paper has been very generally commented on in the Indian newspapers.

A discussion followed the reading of the paper, which, with the paper, will be found reported in *The Journal of the Association*, pages 41-74 of the present volume.

THE AGE OF COMPETITION FOR THE INDIAN CIVIL SERVICE.

On Monday afternoon, January 19, 1885, a meeting was held in the Exeter Hall Council Room, under the presidency of Wilfrid Scawen Blunt, Esq., when Mr. Ardeshir Kavasjee Settna read a paper on "The Age of Competition for the Indian Civil Service." Mr. Settna, in a temperately-worded paper, sketched the history of the changes which had been made in the regulations as to age of candidates for the Indian Civil Service. Before the year 1854 students were eligible for admission to Haileybury between the ages of seventeen and twenty-one years. The limits were then raised to eighteen and twenty-three, but in 1859 the *maximum* was lowered to twenty-two, and in 1865 again to twenty-one years. The question was re-opened by Lord Salisbury, who, when Secretary of State for India, in 1874-5, addressed certain inquiries relating to this and other matters connected with the Indian Civil Service to various authorities in India. The decision subsequently arrived at by which the *maximum* age was reduced to nineteen was against the opinion of the Civil

Service Commissioners, against the opinion of more than two-thirds of the Indian civilians consulted, and against the opinion of Lord Northbrook, who, when Viceroy, placed his views on record in a very able minute. Failing to find any reason for the alteration in the causes assigned, Mr. Settna believed he found it in a despatch (No. 35 of 1878) from Lord Lytton to the Secretary of State. In this document it was urged, as shown in the following passages, that in the opinion of the Government of India, it was desirable that when the Special Native Service was constituted the ordinary Covenanted Civil Service should no longer be open to natives. "The difficulty, "indeed the utter impossibility, of getting European officers of "position to serve cheerfully in subordination to natives of India is one "which no one with personal experience of India will under estimate."—"So long as natives can obtain admission to the Covenanted Service "by competition, this difficulty will be liable to arise, and the only "complete remedy would be to close the competitive service by law to "natives of this country. But the recent reduction of the standard "of age for the competitive examination will practically render the "matter of exceptional difficulty, and as the prohibition would involve "the repeal of sec. 32 of Act 21 and 22 Viet., cap. 166, which renders "natives of this country eligible to compete, and as such legislation "would be of an apparently illiberal character, we content ourselves "with recommending the point to your lordship's consideration, "without making it an indispensable condition of our scheme." Turning to Lord Kimberley's grounds for declining to make any alteration, without further experience of the working of the present system, Mr. Settna mentioned that of the twenty-eight Indian candidates spoken of by his lordship as having presented themselves for examination within the previous six years only one had succeeded in getting through. After urging the all but insuperable difficulties under which Indian candidates at present laboured, he said, in conclusion, that the *maximum* limit of twenty-one, or even twenty-three, which obtained previously, would do harm to no one, but would greatly raise the administrative efficiency, and deprive the people of India of a just cause of grievance.

This paper was noticed in a leading article of *The Times* of the 21st January last, and has been commented on by some of the Indian newspapers.

A discussion followed the reading, which, with the paper, will be found reported in full in *The Journal of the Association*, pages 75-112 of the present volume.

THE COSTLINESS OF INDIAN ADMINISTRATION.

At a meeting held on Monday afternoon, March 30, 1885, in the Council Room, Exeter Hall, under the presidency of Donald H. Macfarlane, Esq., M.P., Robert Brown, Esq., of Glasgow, read a paper on "The Costliness of Indian Administration."

Mr. Brown opened his remarks by saying that the cost of a country's administration was at all times a question of interest, closely connected, as it often was, with the prosperity, comfort, and happiness of the people; but there was this additional ground for scrutinizing the cost of Indian administration—that the people affected had no say in it, that the necessary funds were provided with difficulty, and only with the aid of a substantial supplement from a demoralizing trade forced upon another nation. It was indisputable that a sound financial basis was essential to the safety of the whole national superstructure, and how did India stand the test? In forty-four yearly budgets, from 1840 to 1883, there were sixteen surpluses and thirty-eight deficits, with an aggregate balance of £53,920,000 on the wrong side—an increasing revenue always having been overpassed by increasing expenditure and debt. To go back to 1811 we found a registered debt of £27,979,134, against £159,112,939 in 1883, while the annual interest payable had risen from £1,623,646 to £6,515,349. The India of to-day was not the India of long ago, either in extent or resources, and any inquiry was rendered more difficult by the fact that the Government, like the defunct Company, were traders as well as rulers, putting into one common purse the proceeds of taxation and the profits of trade. Against this enormous increase of indebtedness there was to be set the capital value of railways and other so-called "productive" public works, but sometimes these had produced less than no revenue. In point of fact, the total amount for which India was liable, one way or another, was £246,948,000, and though the annual burden happened to be at present less than the interest just stated, owing to the Government investments being remunerative, it might have been greater. That the burdens were heavy was officially admitted; and a few years ago, when money was urgently wanted for the Afghan war, the Government had to confess that not another rupee could be screwed out of the taxpayers. The Indian Council declares that only the opium revenue stands between them and insolvency, and Mr. J. K. Cross acknowledges that the salt tax in India is nearly as bad as the corn laws were in this country. Numerous illustrations of gross extravagance were then cited in the Home charges, and expenditure in India, and in the Army adminis-

tration. It was urged that a larger proportion of natives should be employed in Government situations, who, on the testimony of some of the most influential of our own officials, were thoroughly competent, and would gladly do work for less pay. In conclusion, Mr. Brown said, that, as a whole, he supposed the Indian Government servants were neither better nor worse than other similar bodies of men, but even granting that they were, one and all, the superhumanly excellent and disinterested beings they were sometimes painted, it was possible to pay too much even for a good thing. All he asked was that salaries be fixed more in accordance with the commercial principle of a fair day's wage for a fair day's work; and that we should act more in accordance with our theory, "Indian money to be spent only "on Indian business."

A discussion followed the reading, which, with the paper, will be found reported in full in *The Journal of the Association*, pages 119-171 of the present volume.

PUBLICATIONS.

The Council tender their best thanks to the Proprietors of the following Papers, who present copies for the use of the Reading-room, where they may be daily read by members of the Association :—

<i>The Pioneer Mail</i>	Allahabad.
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„ <i>Proceedings of the Literary and Philosophical Society</i>					Liverpool.
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The Council also tender their best thanks to the Donors of the following Books :—

A Pamphlet on our Difficulties and Wants in the Path of the Progress of India, by Syed Mohammed Hassain, of Lucknow.

Appendix to Report of the Select Committee on the Affairs of the East India Company, 1832 (Vol. VI.), from Colonel P. T. French.

Memorials of Service in India, by William Macpherson, from Mr. C. W. Arathoon.

Retrospects and Prospects of Indian Policy, by Major Evans Bell, from Mr. C. W. Arathoon.

Commentaries upon Martial Law, 1867, from Mr. C. W. Arathoon.

And the following from the India Office :—

Report of the Indian Education Commission Gazetteer, North West Provinces.

<i>Appendix to Education Commission Report</i>	.	Central Provinces.
<i>Ditto</i>	.	Bombay.
<i>Ditto</i>	.	North West Provinces.
<i>Ditto</i>	.	Punjab.
<i>Ditto</i>	.	Bengal.
<i>Ditto</i>	.	Madras.
<i>Ditto</i>	.	Hyderabad.

General Report on Public Instruction in Assam, 1881-2, by J. Wilson. Report on Education in Coorg, 1884-82, by Lewis Rico.

GENERAL ABSTRACT OF ACCOUNTS OF THE EAST INDIA ASSOCIATION.

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DR.	RECEIPTS.	EXPENDITURE.			CR.
		£	s.	d.	£
1885.					s. d.
May 1.—To BALANCE at Bankers	229 4 9			90 0 0	
" in hand	7 7 4—236 12 1			25 19 1	
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Advertisements in <i>Journal</i> and				210 0 6	
Sundry Receipts	39 2 2				
Interests on Investments in					
London	39 12 1			79 16 2	
Interests on Investments in				14 3 6	
India	361 0 5			16 16 7	
				10 2 6	
				8 13 3	
				35 12 0	
				16 14 0	
				6 19 0	
				1 12 10—696 9 5	
				158 8 9	
				4 15 7—163 4 4	
					£859 13 9

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ANNUAL REPORT.

205

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TRUST DEEDS, ETC.

This Indenture made the twenty-fourth day of June, One thousand eight hundred and seventy-two, between His Highness Maharajadhiraj Mirza Maha Rao Shree, Sir Pragmalji Bahadur, G.C.S.I., the Rao of Cutch, of the one part, and Javerilal Umiashankar, Merchant; Bhau Daji, Graduate, Grant Medical College; William Martin Wood, Journalist; and Ardaseer Framjee Moos, Merchant, all of Bombay, of the other part. Whereas an Association, styled the East India Association, and having its office at present at 20, Great George Street, Westminster, London, has been established for the independent and disinterested advocacy and promotion by all legitimate means of the public interests and welfare of the inhabitants of India; and whereas His Highness Maharajadhiraj Mirza Maha Rao Shree, Sir Pragmalji Bahadur, the Rao of Cutch, is desirous to advance the objects of the said Association, and has for such purpose caused the Government Promissory Notes set forth in the Schedule hereunder written to be purchased in the name of the New Bank of Bombay, Limited, and to be delivered to the said parties hereto of the other part; and it has been arranged that the parties hereto of the other part shall stand possessed of the said Government Promissory Notes upon the trusts and for the intents and purposes hereinafter declared of and concerning the same: now this Indenture witnesseth, and it is hereby agreed and declared by and between His Highness Maharajadhiraj Mirza Maha Rao Shree, Sir Pragmalji Bahadur, the said Rao of Cutch, and the said Javerilal Umiashankar, Bhau Daji, William Martin Wood, and Ardaseer Framjee Moos, that they, the said Javerilal Umiashankar, Bhau Daji, William Martin Wood, and Ardaseer Framjee Moos shall forthwith deposit with the New Bank of Bombay, Limited, the said Government Promissory Notes, and obtain a receipt therefor in their own names, and deliver the same to His Highness Maharajadhiraj Mirza Maha Rao Shree, Sir Pragmalji Bahadur, the said Rao of Cutch, or his agent, and shall, by a letter addressed to the said New Bank of Bombay, Limited, request and direct the said Bank to remit to the President of the Council and the Secretary of the said East India Association for the time being, so long as the said East India Association

shall exist, the net interest of said Government Promissory Notes as it accrues due, and that the Trustees for the time being under these presents shall, in the event of the dissolution of the said East India Association, at any time hereafter, at the request of His Highness the Rao of Cutch for the time being, or of his agent, endorse or sign in such manner as may be required by the said New Bank of Bombay, Limited; the receipts hereinbefore referred to, or any new receipts that may hereafter be given in lieu thereof. And it is hereby agreed and declared that, in the event of the death or resignation of Javerilal Umiashankar, His Highness the Rao of Cutch for the time being, shall have power to nominate and appoint another Trustee in the room and stead of the said Javerilal Umiashankar, and in the event of the death or resignation of any appointee of His Highness the Rao of Cutch, another Trustee in his place and stead shall be appointed by his Highness the Rao of Cutch for the time being; it being the intent and meaning of the parties hereto that one of the four Trustees empowered to act in these presents shall be always the nominee of His Highness the Rao of Cutch for the time being. And it is hereby agreed and declared that in the event of the death or resignation of any of the other three Trustees, it shall be lawful for the surviving or continuing Trustees or Trustee (and for this purpose every retiring Trustee shall, if willing to act in the execution of this power, be considered a continuing Trustee) to appoint a new Trustee or new Trustees in the place of the Trustee or Trustees so dying or resigning; and every Trustee so appointed may act or assist in the execution of the Trust of these presents as fully and effectually as if he had been hereby constituted a Trustee. And it is hereby agreed and declared that upon every appointment of a new Trustee or Trustees, as hereinbefore provided for, the then existing receipt for the said Government Promissory Notes shall be returned to the said Bank by his Highness the Rao of Cutch, for the purpose of having a fresh receipt issued in the name of the Trustees for the time being. And it is hereby further provided that all the powers by these presents conferred in reference to said Government Promissory Notes may be exercised by any two or more of the Trustees for the time being. In witness whereof the parties to these presents have hereunto set their hands and seals the day and year first above written.

The Schedule hereinbefore referred to:—

Nos. on the Notes.	Rate of Interest.	Amount.
044,476 of 1865 . . .	4 per cent. per annum. . .	Rs.5,000
044,477 of 1865 . . .	„ . . .	5,000

Nos. on the Notes.	Rate of Interest.	Amount.
026,314 of 1865 . .	4 per cent. per annum. . •	Rs.4,000
019,228 of 1854-55 . .	" . . .	3,000
017,999 of 1854-55 . .	" . . .	3,000
016,607 of 1842-43 . .	" . . .	2,700
007,232 of 1842-43 . .	" . . .	2,300
011,993 of 1865 . .	" . . .	2,000
011,994 of 1865 . .	" . . .	2,000
029,974 of 1865 . .	" . . .	1,000
029,975 of 1865 . .	" . . .	1,000
029,976 of 1865 . .	" . . .	1,000
029,977 of 1865 . .	" . . .	1,000
029,978 of 1865 . .	" . . .	1,000
015,965 of 1865 . .	" . . .	1,000
015,966 of 1865 . .	" . . .	1,000
015,967 of 1865 . .	" . . .	1,000
015,968 of 1865 . .	" . . .	1,000
015,969 of 1865 . .	" . . .	1,000
015,970 of 1865 . .	" . . .	1,000
015,971 of 1865 . .	" . . .	1,000
015,972 of 1865 . .	" . . .	1,000
015,973 of 1865 . .	" . . .	1,000
015,172 of 1854-55 . .	" . . .	1,000
016,053 of 1865 . .	" . . .	1,000
017,172 of 1865 . .	" . . .	1,000
017,175 of 1865 . .	" . . .	1,000
016,608 of 1842-43 . .	" . . .	800
000,977 of 1865 . .	" . . .	700
5,640 of 1842-43 . .	" . . .	500
024,242 of 1865 . .	" . . .	500
624,247 of 1865 . .	" . . .	500

Signed, sealed, and delivered.

RAO PRAGMALJI.

G. R. GOODFELLOW, Acting Political Agent, Cutch.

ISHWARLAL OCHAYRAM, Officiating Dewan of Cutch.

JAYERILAL UMIASHANKAR.

BHAU DAJI.

WILLIAM MARTIN WOOD.

ARDASER FRAMJEE MOOS.

Signed, sealed, and delivered by the above-named Javerilal Umia-shankar, Bhau Daji, William Martin Wood, and Ardaseer Framjee Moos, in the presence of

R. S. DALLAS, Solicitor.

P. S. RODRIQUES, Clerk to Messrs. Dallas and Lynch,
Solicitors, Bombay.

IMPORTANT LETTER FROM THE MAHARAJAH HOLKAR.

THE following gratifying communication has been addressed to the Honorary Secretary of the East India Association by his Highness the Maharajah Holkar:—

INDORE PALACE, INDORE, *Sept. 23, 1872.*

DEAR SIR,—I am desired by His Highness the Maharajah Holkar to inform you that he has been watching with much interest the proceedings of the East India Association, and that he believes that if the Association continues to work with the same sincerity and earnestness which have hitherto characterized its action, it gives great promise of proving itself useful in promoting the true interests of all the people and Princes of India.

His Highness has, therefore, much pleasure in contributing Rs. 25,000 (twenty-five thousand) for its support; the amount to be invested, under a Trust-deed, in Government Promissory Notes, and the interest thereof, as it accrues due, to be paid to the Association as long as it lasts. His Highness has also desired me to say that if he found the Association continuing to work with benefit to India, he will be happy to render such further assistance as he thinks proper.

His Highness wishes to take this opportunity of tendering his thanks, as a Prince and a Native of India, to the President, Vice-Presidents, and Members, and all other noblemen and gentlemen who have shown such warm interest in the affairs of India by their co-operation with the Association.

His Highness feels much gratified at your own disinterested and patriotic exertions on behalf of India, and considers them very praiseworthy.

Her Gracious Majesty having assumed the direct government of India, and in order that India may derive the full benefit of her benign rule, it is of the utmost importance that the true state of India be

correctly known by the public and Parliament of England, and his Highness looks to the East India Association to become an important instrument for accomplishing this object.

His Highness, together with the people of India, hopes that the Press of England, and all noblemen and gentlemen who wish well to the British Empire, will heartily co-operate in the great cause of making the British rule in India a just and beneficent one.

One great thing, among others, necessary for the welfare of India and the permanency of British rule, is frank, mutual confidence and earnest sympathy, and His Highness doubts not that a better knowledge in England of India's people and their wants will lead to this much-desired result.

India, like an orphan, needs all the kindness and generous sympathy Britain can give to it, standing now in the relation of a parent.

His Highness wishes the exertions of the Association God-speed.

I remain, yours faithfully,

(Signed in Marâthi)

RAMRAJ NARAYAN, *Dewan*.

To DADABHAI NAOROJI, Esq.,

Hon. Sec. E. I. Association.

MESSRS. DALLAS AND LYNCH.

10 R	10 R
6 R	6 R

This Indenture, made this _____ day of _____, in the Christian year, one thousand eight hundred and seventy-two, between His Highness Thakorejee Sahib Soorsingjee, the Thakore of Palitana, of the one part, and Seth Hajee Ahmed Isanee, Chief Dewan of Palitana, Bhan Daji, Graduate Grant Medical College, William Martin Wood, Journalist, and Ardaseer Framjee Moos, Merchant, all of Bombay, of the other part.

Whereas an Association styled the East India Association, and having its office at present at 20, Great George Street, Westminster, London, has been established for the independent and disinterested advocacy and promotion by all legitimate means of the public interests and welfare of the inhabitants of India. And Whereas His Highness Thakorejee Sahib Soorsingjee, the Thakore of Palitana,

is desirous to advance the objects of the said Association, and has for such purpose caused the Government Promissory Notes set forth in the Schedule hereunder written to be purchased in the name of the New Bank of Bombay, Limited, and to be delivered to the said parties hereto of the other part, and it has been arranged that the said parties hereto of the other part shall stand possessed of the said Government Promissory Notes, upon the trusts and for the intents and purposes herein after declared of, and concerning, the same. Now this Indenture witnesseth, and it is hereby agreed and declared by and between His Highness Thakorejee Sahib Soorsingjee, the Thakore of Palitana, and the said Seth Hajee Ahmed Isanee, Bhau Daji, William Martin Wood, and Ardaseer Framjee Moos, that the said Seth Hajee Ahmed Isanee, Bhau Daji, William Martin Wood, and Ardaseer Framjee Moos, shall forthwith deposit with the New Bank of Bombay, Limited, the said Government Promissory Notes, and obtain a receipt therefore in their own names, and deliver the same to His Highness Thakorejee Sahib Soorsingjee, the Thakore of Palitana, or his agent, and shall by a letter addressed to the said New Bank of Bombay, Limited, request and direct the said Bank to remit to the President of the Council and the Secretary of the said East India Association for the time being during the period of twenty-five years from the date hereof, if the said East India Association shall so long continue to exist, the net interest of the said Government Promissory Notes as it accrues due, and that the trustees for the time being under these presents shall, at the expiration of twenty-five years from the date of these presents, or in the event of the dissolution of the said East India Association at any time before the expiration of such period of twenty-five years, at the request of His Highness the Thakore of Palitana for the time being, or of his agent, endorse or sign in such manner as may be required by the said New Bank of Bombay, Limited, the receipt herein before referred to, or any new receipt that may hereafter be given in lieu thereof. And it is hereby agreed and declared that in the event of the death or resignation of the said Seth Hajee Ahmed Isanne, His Highness the Thakore of Palitana for the time being shall have power to nominate and appoint another trustee in the room and stead of the said Seth Hajee Ahmed Isanee, and in the event of the death or resignation of any appointee of His Highness the Thakore of Palitana and other trustee in his place and stead shall be appointed by His Highness the Thakore of Palitana for the time being, it being the intent and meaning of the parties hereto that one of the four trustees empowered to act in these presents shall be always the nominee of His Highness the Thakore of Palitana for the time being. And it is

hereby agreed and declared that in the event of the death or resignation of any of the other three trustees it shall be lawful for the surviving or continuing trustees or trustee (and for this purpose every retiring trustee shall, if willing to act in the execution of this power, be considered a continuing trustee) to appoint a new trustee or new trustees in the place of the trustee or trustees so dying or resigning, and every trustee so appointed may act or assist in the execution of the trust of these presents as fully and effectually as if he had been hereby constituted a trustee. And it is hereby agreed and declared that upon every appointment of a new trustee or trustees as hereinbefore provided for, the then existing receipt for the said Government Promissory Notes shall be returned to the said Bank by His Highness the Thakore of Palitana for the purpose of having a fresh receipt issued in the name of the trustees for the time being. And it is hereby further provided that all the powers by these presents conferred in reference to said Government Promissory Notes may be exercised by any two or more of the trustees for the time being. In witness whereof the parties to these presents have hereunto set their hands and seals the day and year first above written.

The schedule hereinbefore referred to :—

Number on the Notes.	Rate of Interest.	Amount of each Note.
044841 of 1865	Four per cent. per annum	Rs. 1000
044810 of 1865	" "	" 1000
044889 of 1865	" "	" 1000
044898 of 1865	" "	" 1000

Signed, Sealed, and Delivered by His Highness THAKOREJEE SAHIB SOO-SINGJEE, the Thakore of Palitana, in the presence	(Signed) (INDIAN CHARACTERS.)	Seal.
	SOORSINGJEE.	○
	(Signed) (INDIAN CHARACTERS.)	Seal.
	SETH HAJEE AHMED ASSANNE.	○
(INDIAN CHARACTERS.)		Seal.
UMERJEE BHOLANATH.	" W. MARTIN WOOD.	○
(INDIAN CHARACTERS.)		Seal.
NEMCHUND ROYCHUND.	" ARDASEER FRAMJEE MOOS.	○

Signed, Sealed, and Delivered by the said
 WILLIAM MARTIN WOOD in the presence of
 P. S. RODRIGUES,
 Clerk to Messrs. Dallas and Lynch,
 Solrs., Bombay.

Signed, Sealed, and Delivered by the said
 SETH HAJEE AHMED ISANEE and ARDASEER
 FRAMJEE MOOS in the presence of
 (Sd.) R. A. DALLAS.

(True copy) ARDASEER FRAMJEE MOOS.
 19th August, 1884.

PRESENT TRUSTEES.

SETH HAJI AHMED ISANEE.
 THE HONBLE. KASHINATH TRIMBUK TELANG, C.I.E.
 MANCHERJI MERWANJI BROWNUGREE, Esq. (Resigned, and a new
 Trustee is to be appointed in his place).
 ARDASEER FRAMJEE MOOS.

This Indenture made this day of _____, in the Christian year one thousand eight hundred and seventy-two, between His Highness Thakore Sahab Rajsingjee, the Thakore of Wadhwan, of the one part, and Mansukhram Surjaram, Merchant, Bhanu Dajee, Graduate Grant Medical College, William Martin Wood, Journalist, and Ardaseer Framjee Moos, Merchant, all of Bombay, of the other part.

Whereas an Association styled the East India Association, and having its offices at present at 20, Great George Street, Westminster, London, has been established for the independent and disinterested advocacy and promotion, by all legitimate means, of the public interests and welfare of the inhabitants of India. And whereas His Highness Thakore Sahab Rajsingjee, the Thakore of Wadhwan, is desirous to advance the objects of the said Association, and has for such purpose caused the Government Promissory Note, set forth in the Schedule hereunder written, to be purchased in the name of the New Bank of

Bombay (Limited), and to be delivered to the said parties hereto of the other part, and it has been arranged that the said parties hereto of the other part shall stand possessed of the said Government Promissory Notes, upon the trusts and for the intents and purposes hereinafter declared of and concerning the same. Now this Indenture witnesseth, and it is hereby agreed and declared, by and between His Highness Thakore Saheb Rajsingjee, the Thakore of Wadhwan, and the said Mansukhram Surjaram, Bhau Dajee, William Martin Wood, and Ardaseer Framjee Moos, that they, the said Mansukhram Surjaram, Bhau Dajee, William Martin Wood, and Ardaseer Framjee Moos, shall forthwith deposit with the New Bank of Bombay (Limited) the said Government Promissory Note, and obtain receipt therefor in their own names, and deliver the same to His Highness Thakore Saheb Rajsingjee, the said Thakore of Wadhwan, or his agent, and shall by a letter addressed to the said New Bank of Bombay (Limited) request and direct the said bank to remit to the President of the Council and the Secretary of the said East India Association for the time being, during the period of twenty years from the date hereof, if the said East India Association shall so long continue to exist, the net interest of the said Government Promissory Note as it accrues due, and that the trustees for the time being under these presents shall, at the expiration of twenty years from the date of these presents, or in the event of the dissolution of the said East India Association, at any time before the expiration of such period of twenty years, at the request of His Highness the Thakore of Wadhwan for the time being, or of his agent, endorse or sign in such manner as may be required by the said New Bank of Bombay (Limited) the receipt hereinbefore referred to, or any new receipt that may hereafter be given in lieu thereof. And it is hereby agreed and declared that in the event of the death or resignation of the said Mansukhram Surjaram, His Highness the Thakore of Wadhwan, for the time being, shall have power to nominate and appoint another trustee in the room and stead of the said Mansukhram Surjaram, and in the event of the death or resignation of any appointee of His Highness the Thakore of Wadhwan, another trustee in his place and stead shall be appointed by His Highness the Thakore of Wadhwan for the time being, it being the intent and meaning of the parties hereto that one of the four trustees empowered to act in these presents shall be always the nominee of His Highness the Thakore of Wadhwan for the time being. And it is hereby agreed and declared that in the event of the death or resignation of any of the other three trustees it shall be lawful for the surviving or continuing trustees or trustee (and for this purpose every retiring

trustee shall, if willing to act in the execution of this power, be considered a continuing trustee) to appoint a new trustee or new trustees in the place of the trustee or trustees so dying or resigning, and every trustee so appointed may act or assist in the execution of the trusts of these presents as fully and effectually as if he had been hereby constituted a trustee. And it is hereby agreed and declared that upon every appointment of a new trustee or trustees, as hereinbefore provided for, the then existing receipt for the said Government Promissory Note shall be returned to the said bank by His Highness the Thakore of Wadhwan for the purpose of having a fresh receipt issued in the name of the trustees for the time being. And it is hereby further provided that all the powers by these presents conferred in reference to said Government Promissory Note may be exercised by any two or more of the trustees for the time being. In witness whereof the parties to these presents have hereunto set their hands and seals the day and year first above written.

The Schedule hereinbefore referred to :—

Number on the Note.	Rate of Interest.	Amount of the Note.
28286 of 1842-43	Four per cent. per annum	Rs. 5000

Signed, sealed and delivered by His Highness THAKORE SAHIB RAJSINGJEE, the Thakore of Wadhwan, in the presence of

(Sgd.) (INDIAN CHARACTERS.)

(Sgd.) MANSUKHRAM SURJARAM.

(Sgd.) (INDIAN CHARACTERS.)

Signed, sealed, and delivered by the said MANSUKHRAM SURJARAM and ARDESEER FRAMJEE Moos, in the presence of

(Sgd.) W. MARTIN WOOD.

(Sgd.) ARDASEER FRAMJEE MOOS.

(Sgd.) R. A. DALLAS, Solicitor, Bombay.

shall stand possessed of the said Government Promissory Notes upon the trusts and for the intents and purposes hereinafter declared of and concerning the same. Now this Indenture witnesseth, and it is hereby agreed and declared by and between His Highness Nawab Sahab Sir Mohbatkhanjee Bahadoor, the said Nawab of Joonaghur, and the said Mansukhram Surjaram, Bhau Daji, William Martin Wood, and Ardaseer Framjee Moos, that they, the said Mansukhram Surjaram, Bhau Daji, William Martin Wood, and Ardaseer Framjee Moos, shall forthwith deposit with the New Bank of Bombay (Limited), the said Government Promissory Notes, and obtain a receipt therefore in their own names, and deliver the same to His Highness Nawab Sahab Sir Mohbatkhanjee Bahadoor, the said Nawab of Joonaghur, or his agent, and shall by a letter addressed to the said New Bank of Bombay (Limited), request and direct the said Bank to remit to the President of the Council and the Secretary of the said East India Association for the time being during the period of twenty years from the date hereof, if the said East India Association shall so long continue to exist, the net interest of the said Government Promissory Notes as it accrues due, and that the trustees for the time being under these presents shall at the expiration of twenty years from the date of these presents, or in the event of the dissolution of the said East India Association at any time before the expiration of such period of twenty years, at the request of His Highness the Nawab of Joonaghur for the time being or of his agent, endorse or sign in such manner as may be required by the said New Bank of Bombay (Limited), the receipt hereinbefore referred to, or any new receipt that may hereafter be given in lieu thereof. And it is hereby agreed and declared that in the event of the death or resignation of the said Mansukhram Surjaram, His Highness the Nawab of Joonaghur for the time being shall have power to nominate and appoint another trustee in the room and stead of the said Mansukhram Surjaram, and in the event of the death or resignation of any appointee of His Highness the Nawab of Joonaghur, another trustee in his place and stead shall be appointed by His Highness the Nawab of Joonaghur for the time being, it being the intent and meaning of the parties hereto that one of the four trustees empowered to act in these presents shall be always the nominee of His Highness the Nawab of Joonaghur for the time being; and it is hereby agreed and declared that in the event of the death or resignation of any of the other three trustees it shall be lawful for the surviving or continuing trustees or trustee (and for this purpose every retiring trustee shall, if willing to act in the execution of this power, be considered a continuing trustee)

to appoint a new trustee or new trustees in the place of the trustee or trustees so dying or resigning, and every trustee so appointed may act or assist in the execution of the trust of these presents as fully and effectually as if he had been hereby constituted a trustee. And it is hereby agreed and declared that upon every appointment of a new trustee or trustees as hereinbefore provided for the then existing receipt for the said Government Promissory Notes, shall be returned to the said bank by His Highness the Nawab of Joonaghur for the purpose of having a fresh receipt issued in the name of the trustees for the time being. And it is hereby further provided that all the powers by these presents conferred in reference to said Government Promissory Notes may be exercised by any two or more of the trustees for the time being. In witness whereof the parties to these presents have hereunto set their hands and seals the day and year first above written.

The Schedule hereinbefore referred to :—

Numbers on the Notes,	Rate of Interest.	Amount of each Note.
17086 of 1854-55	Four per cent per annum.	Rs. 5000
025377 of 1865	" "	5000
046883 of 1865	" "	5000
001950 of 1855-56	" "	2000
009866 of 1865	" "	1000
026503 of 1865	" "	1000
030004 of 1865	" "	500
028058 of 1865	" "	500

Signed, sealed, and delivered by His Highness NAWAB SAHEB SIR MOHBATKHANJEE BAHADUR, the Nawab of Joonaghur, in the presence of

Signed, MANSUKHRAM SURJARAM

" BRAU DAJEE

" W. MARTIN WOOD

" ARDASEER FRAMJEE MOOS

Seal.

○

Seal.

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Seal.

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Seal.

○

Seal.

○

Signed, sealed, and delivered by the said MANSUKHRAM SURJARAM and ARDASEER FRAMJEE MOOS, in the presence of

[sd.] R. A. DALLAS, Solicitor, Bombay.

Signed, sealed, and delivered by the said
WILLIAM MARTIN WOOD, in the presence
of

[sd.] P. S. RODRIGUES,
Clerk to Messrs. DALLAS and LYNCH,
Solicitors, Bombay.

(True Copy.) ARDASER FRAMJEE MOOS,
19th August, 1884.

PRESENT TRUSTEES.

MANSOOKHRAM SOORAJRAM, Esq.

The Honble. KASHINATH TRIMBUK TELANG, C.I.E.

MUNOHERJI MERWANJI BHOWNUGGER, Esq. (resigned, and a new
Trustee is to be appointed in his place).

ARDASER FRAMJEE MOOS, Esq.

10 R	10 R
6 R	6 R

This Indenture made this Thirty-first day of December, in the Christian year, one thousand eight hundred and seventy-two, between Gowrishankar Oodeshankar, Joint Administrator of Bhownugur, Esquire, of the one part, and Nandlal Inderjee, Manager of the firm of Vajeshankar Gowrishankar Bhanu Dajee, Graduate Grant Medical College, William Martin Wood, Journalist; and Ardaseer Framjee Moos, Merchant, all of Bombay, of the other part.

Whereas an Association styled the East India Association, and having its office at present at 20, Great George Street, Westminster, London, has been established for the independent and disinterested advocacy and promotion, by all legitimate means, of the public interests and welfare of the inhabitants of India. And Whereas the said Gowrishankar Oodeshankar is desirous to advance the objects of the said Association, and has for such purpose caused the Government Promissory Notes set forth in the schedule hereunder written to be purchased in the name of the New Bank of Bombay (Limited), and to be delivered to the said parties hereto of the other part, and it has been arranged that the said parties hereto of the other part shall stand possessed of the said Government Promissory Notes upon the trusts

and for the interests and purposes hereinafter declared of, and concerning the same.

Now this Indenture witnesseth, and it is hereby agreed and declared by and between the said Gowrishankar Oodeshankar, and the said Nandlal Inderjee Bhan Daji, William Martin Wood, and Ardaseer Framjee Moos, that they the said Nandlal Inderjee Bhan Dajee, William Martin Wood and Ardaseer Framjee Moos shall forthwith deposit with the said New Bank of Bombay (Limited), the said Government Promissory Notes, and obtain a receipt therefor in their own names, and deliver the same to the said Gowrishankar Oodeshankar or his agent, and shall by a letter addressed to the said New Bank of Bombay (Limited), request and direct the said Bank to remit to the president of the Council and the Secretary of the said East India Association for the time being during the period of Twenty years from the date hereof, if the said East India Association shall so long continue to exist, the net interest of the said Government Promissory Notes as it accrues due, and that the trustees for the time being, under these presents, shall at the expiration of Twenty years from the date of these presents, or in the event of the dissolution of the said East India Association, at any time before the expiration of such period of Twenty years, at the request of the said Gowrishankar Oodeshankar, his heirs, executors, administrators, and assigns, or of his or their agent, endorse or sign in such manner as may be required by the said New Bank of Bombay (Limited), the receipt hereinbefore referred to, or any new receipt that may hereafter be given in lieu thereof. And it is hereby agreed and declared, that in the event of the death or resignation of the said Nandlal Inderjee, the said Gowrishankar Oodeshankar, his heirs, executors, administrators, and assigns, shall have power to nominate and appoint another trustee in the room and stead of the said Nandlal Inderjee, and in the event of the death or resignation of any appointee of the said Gowrishankar Oodeshankar, another trustee in his place and stead shall be appointed by the said Gowrishankar Oodeshankar, his heirs, executors, administrators, and assigns, it being the intent and meaning of the parties hereto that one of the four trustees empowered to act in these presents shall be always the nominee of the said Gowrishankar Oodeshankar, his heirs, executors, administrators, and assigns. And it is hereby agreed and declared that in the event of the death or resignation of any of the other three trustees it shall be lawful for the surviving or continuing trustees or trustee (and for this purpose every retiring trustee shall, if willing to act in the execution of his power, be considered a continuing trustee), to appoint a new trustee or new trustees in the place of the trustee or trustees so dying or resigning, and every trustee so appointed may act

or assist in the execution of the trust of these presents as fully and effectually as if he had been hereby constituted a trustee. And it is hereby agreed and declared that upon every appointment of a new trustee or trustees as hereinbefore provided for the then existing receipt for the said Government Promissory Notes shall be returned to the said Bank by the said Gowrishankar Oodeshankar for the purpose of having a fresh receipt issued in the name of the trustees for the time being. And it is hereby further provided that all the powers by these presents conferred in reference to the said Government Promissory Notes, may be exercised by any two or more of the trustees for the time being. In witness whereof the parties to these presents have hereunto set their hands and seals the day and year first above written.

The schedule hereinbefore referred to:—

Number on the Notes	Rate of Interest	Amount of the Notes.
008280 of 1865	Four per cent. per annum.	Rs. 5000
41231 of 1854-55	" " "	" 3000
<u>008812</u> <u>005702</u> of 1835-36	" " "	" 1000
<u>008813</u> <u>005703</u> of 1835 36	" " "	" 1000

Signed, Sealed, and Delivered by
the above named GOWRISHANKAR } (INDIAN CHARACTERS). Seal.
ODESHANKER in the presence }
of } (INDIAN CHARACTERS). Seal.
(INDIAN CHARACTERS). NUNDLAL INDERJEE. Seal.
(INDIAN CHARACTERS). (Signed) W. MARTIN WOOD. Seal.

Signed, Sealed, and Delivered by
the said NANDLAL INDERJEE and }
ARDASER FRAMJEE MOOS in the }
presence of } ,, ARDASER FRAMJEE MOOS. Seal.

(Sd.) R. A. DALLAS, Solicitor, Bombay.

Signed, Sealed, and Delivered by
the said WILLIAM MARTIN WOOD }
in the presence of }

(Sd.) P. S. RODRIGUES,
Clerk to Messrs. Dallas and Lynch,
Solicitors, Bombay.

(True Copy)

ARDASER FRAMJEE MOOS,
Bombay, 26th August, 1884.

PRESENT TRUSTEES.

NUNDLAL INDERJI, Esq.

The Honble. K. T. TELANG, C.I.E.

MANCHERJI MERWANJI BHOWNUGGERE, Esq. (Resigned, and a new one is to be appointed in his place).

ARDASEER FRAMJEE MOOS, Esq.

10/-

This Indenture, made the twentieth day of September, One thousand eight hundred and eighty-two, between the East India Association, whose offices are at present at 14, Bedford Row, in the County of Middlesex, of the first part, William Charles Palmer, of 8, Sutherland Gardens, Maida Vale, in the same County, a Captain in her Majesty's Madras Staff Corps, of the second part, and Patrick Pirie Gordon, of 4, Knaresborough Place, South Kensington, in the said County, Esquire, Alexander Rogers, of 38, Clarendon Gardens, Bayswater, in the same County, Esquire, and William Martin Wood, of 25, Castletown Road, West Kensington, in the same County, Esquire, of the third part: Whereas it appears by a minute of the proceedings of a meeting of the said East India Association, dated the eighth day of July, One thousand eight hundred and seventy-four, that the sum of Rupees six thousand five hundred, in Indian Government Four per cent. Promissory Notes then standing in the names of John Dickinson and William Charles Palmer, in a joint account at the Indian Department of the Bank of England, was held by them upon trust for the said East India Association, and it was further declared that any further sum that might be invested in their names in the same account would be in augmentation of the said sum, and would be held by them upon the same trusts; and whereas there is now standing to the credit of such account, the sum of Rupees ten thousand nine hundred, and whereas the said John Dickinson died on the twenty-third day of November, One thousand eight hundred and seventy-six, and the said sum of Rupees

ten thousand nine hundred, is now standing in the name of the said William Charles Palmer alone, and he is desirous of retiring from the said trust, and of being released therefrom; and whereas the said East India Association are desirous of appointing the aforesaid Patrick Pirie Gordon, Alexander Rogers, and William Martin Wood, to be Trustees of the said account, in the place of the said William Charles Palmer, and who have consented to act as such Trustees, as witnessed by their execution of these presents; and whereas it is intended that the said sum of Rupees ten thousand nine hundred, shall be forthwith transferred into their names. Now this Indenture witnesseth that in exercise of the power vested in the said East India Association, or any other power enabling them in this behalf, they, the said East India Association, do hereby nominate and appoint the said Patrick Pirie Gordon, Alexander Rogers, and William Martin Wood, to be Trustees in the place of the said William Charles Palmer; and it is hereby agreed and declared that the said Patrick Pirie Gordon, Alexander Rogers, and William Martin Wood, their executors, administrators, and assigns, shall stand possessed of the said sum of Rupees ten thousand nine hundred, when the same shall have been transferred unto them, or into their names, and of any further sum or sums which may from time to time be added thereto, to hold the same upon trust for the said East India Association, and to pay the interest, dividends, and proceeds thereof to the said East India Association, as the same shall from time to time become payable and received by them. And this Indenture further witnesseth that, in pursuance of the said Agreement and in consideration of the premises, the said East India Association and the said Patrick Pirie Gordon, Alexander Rogers, and William Martin Wood doth hereby release the said William Charles Palmer, his heirs, executors, and administrators, estates, and effects from all claims and demands whatsoever for and in respect of the said sum of Rupees ten thousand nine hundred. And it is hereby declared that if the said Trustees hereby appointed, or any of them, or any Trustee or Trustees to be appointed as hereinafter is mentioned, shall die or desire to be discharged, or refuse or become incapable to act, then, and as often as the said East India Association, or the surviving or continuing Trustees or Trustee (and for this purpose every retiring or refusing Trustee shall, if willing to act in the execution of this power, be considered a continuing Trustee) may appoint a new Trustee or new Trustees in the stead of the Trustee or Trustees so dying, or desiring to be discharged, or refusing or becoming incapable to act. And upon every such appointment the number of Trustees may be either augmented or

reduced, and the said trust premises shall be so transferred that the same may become vested in the new Trustee or Trustees, jointly with the surviving or continuing Trustees or Trustee, or solely, as the case may require, and every such new Trustee shall (as well before as after the said trust premises shall have become so vested) have the same powers, authorities, and discretion as if he had been hereby originally appointed a Trustee. And it is hereby declared that the Trustees for the time being of these presents shall be respectively chargeable only with such moneys as they respectively shall actually receive, and shall not be answerable for each other, nor for any banker, broker, or other person in whose hands any of the trust moneys shall be placed, nor for the insufficiency or deficiency of any stocks, funds, shares, or securities, nor otherwise for involuntary losses. And that the said Trustees for the time being may respectively reimburse themselves out of the trust premises all expenses incurred in or about the execution of the aforesaid trust and powers. In Witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered by the above-named PATRICK PIRIE GORDON and WILLIAM MARTIN WOOD in the presence of

W. HAMILTON BURN,
Secretary of the East India Association.

W. C. PALMER.

P. P. GORDON.

R. M. MACDONALD, Colonel Madras Staff Corps, 80, Oxford Gardens, N. Kensington.

Signed, sealed, and delivered by the above-named ALEXANDER ROGERS in the presence of

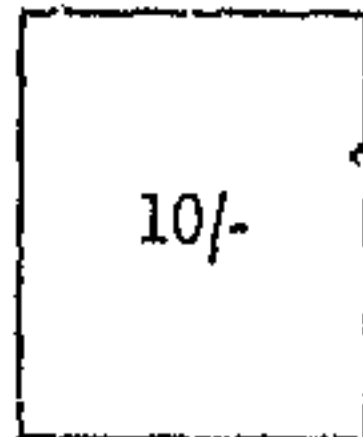
A. ROGERS.

WM. MARTIN WOOD.

C. R. SHERVINTON, Lt.-Col., United Service Club, Pall Mall.

Signed, sealed, and delivered on behalf of the above-named East India Association by WALTER HAMILTON BURN, the Secretary, thereto in the presence of R. M. MACDONALD.

Signed, sealed, and delivered by the
above-named WILLIAM CHARLES PALMER,
in the presence of JOHN SHAW, Solicitor,
48, Bedford Row.



This Indenture, made the sixth day of December, One thousand eight hundred and eighty-three, between the East India Association (whose offices are at 26, Charing Cross, in the County of Middlesex) of the first part, Alexander Rogers, of 38, Clanricarde Gardens, Bayswater, Esquire, of the second part, Patrick Pirie Gordon, of 4, Knaresborough Place, South Kensington, Esquire, and William Martin Wood, of 25, Castletown Road, West Kensington, Esquire, of the third part, and the Rajah Rampal Singh, of Rampur House, Sudbury, near Harrow, and Robert Henry Elliot, of Clifton Park, Kelso, North Britain, Esquire, of the fourth part: Whereas, by Rules 13 and 14 of the said East India Association, it is provided as follows:—

Article 13. There shall be not less than three Trustees, in whom all the property of the Association shall be vested, and such Trustees shall further invest in their names from time to time such sums of money as the Council shall hand over to them for that purpose, in or upon such securities as the Council shall from time to time direct in writing, under the hand of the Secretary, and shall hold and dispose of the securities and other property so vested in them as the Council shall in like manner direct. The books, furniture, and other property of a like nature belonging to the Association shall be insured against fire in such sum or sums as the Council shall in like manner direct.

Article 14.—The Council shall have power to remove any Trustee or Trustees, and to appoint a new Trustee or Trustees in the place of the Trustee or Trustees so removed, or in the place of any Trustee or Trustees who shall die, or desire to be discharged, or reside abroad, or cease to be a member of the Association, or refuse or become incapable or unfit to act, and upon every such appointment the property of the Association which shall have been vested in the Trustees shall be effectually vested in such new Trustee or new Trustees, either jointly with the surviving or continuing Trustee or Trustees, or solely, as occasion may require, and upon every such appointment the number of Trustees may be increased or diminished, provided that the number of Trustees shall never be less than three.

And whereas by an Indenture dated the twentieth day of September, One thousand eight hundred and eighty-two, and made between the said East India Association of the first part, William Charles Palmor, therein described, of the second part, and the said Patrick Pirie Gordon, Alexander Rogers, and William Martin Wood, of the third part, the said East India Association appointed the said Patrick Pirie Gordon, Alexander Rogers, and William Martin Wood to be Trustees in the place of the said William Charles Palmor. And whereas the said Alexander Rogers is desirous of being discharged from the trusts of the said Indenture, and whereas the trust funds of the said East India Association now consist of the sum of ten thousand nine hundred Rupees Indian Government Stock of the Four per cent. Loan of One thousand eight hundred and sixty-five, registered at the Bank of England, and enfaced Indian Government Promissory Notes for the sums of one thousand Rupees of the Four per cent. Loan of One thousand eight hundred and forty-two and one thousand eight hundred and forty-three, and five hundred Rupees of the Four per cent. Reduced Loan of One thousand eight hundred and seventy-nine, all of which have already been transferred into and are now standing in the names of the said Patrick Pirie Gordon, William Martin Wood, Rajah Rampal Singh, and Robert Henry Elliot. Now this Indenture witnesseth that in exercise of the powers for this purpose by the said rules or articles given, they, the said East India Association, do hereby appoint the said Rajah Rampal Singh and Robert Henry Elliot, Esquire, to be Trustees in the place of the said Alexander Rogers, and it is hereby declared the said Patrick Pirie Gordon, William Martin Wood, Rajah Rampal Singh, and Robert Henry Elliot, shall hold the said several sums of ten thousand nine hundred Rupees, one thousand Rupees, and five hundred Rupees now standing in their names as aforesaid, and the income thereof, and of any further sum or sums which may from time to time be added thereto, and the income thereof, upon the trusts and subject to the powers applicable thereto by virtue of and in pursuance to the before recited rules of the said East India Association. In witness whereof the said East India Association, by their Secretary and the said other parties to these present, have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered by the above-named PATRICK PIRIE GORDON, WILLIAM MARTIN WOOD, and the RAJAH RAMPAL SINGH, in the presence of

W. HAMILTON BURN,
Secretary to the East India Association.



JOHN SHAW, Solicitor, 48, Bedford Row.

A. ROGERS. ○

ROPER LETHBRIDGE, Barrister-at-Law,

4, New Square, Lincoln's Inn.

P. PIRIE GORDON. ○

Signed, sealed, and delivered on behalf of
the above-named East India Association,
by WALTER HAMILTON BURN, the Secre-
tary thereto, in the presence of JOHN
SHAW and ROPER LETHBRIDGE.

WM. MARTIN WOOD. ○

Signed, sealed, and delivered by the
above-named ALEXANDER ROGERS, in the
presence of STEWART A. ROGERS, Clerk,
119, Cannon Street, E.C.

RAMPAL SINGH. ○

Signed, sealed, and delivered by the
above-named ROBERT HENRY ELLIOT, in
the presence of JOHN SHAW.

ROBERT H. ELLIOT. ○

"TAXATION OF CULTIVATORS' IMPROVEMENTS."

A MEETING of the members and friends of the East India Association was held on Monday, June 29th, 1885, in the Council Room, Exeter Hall, the subject for consideration being a paper written by Javerilal Umiashankar Yajnik, on "Taxation of Cultivators' Improvements," which was kindly read by Mr. W. Martin Wood.

The Right Hon. Sir James Ferguson, Bart., K.C.M.G., K.C.S.I., late Governor of Bombay, had been announced to preside, but in his absence the Right Hon. A. S. Ayrton officiated at short notice. Amongst those present were the following:—General Lord Mark Kerr, K.C.B.; Lieut.-General H. St. Clair Wilkins, R.E.; Major-General G. Burn; Major-General R. M. Macdonald; Major R. R. E. Drake-Brockman, R.E.; Mr. Raymond West (late Judge of the Bombay High Court, now Procureur-General to the Government of Egypt); Rev. James Long; Mr. C. W. Arathoon; Dr. G. B. Clark; Mr. Maneckjee Byramjee Dadabhoy; Mr. G. Digby (late of Bombay); Mr. Thomas Finlayson (Madras); Mr. John Harris; Mr. E. A. Khundkar; Mr. E. G. Marr; Dr. Robert Pringle; Mr. Donald N. Reid; Mr. Alexander Rogers (late Member of the Bombay Legislative Council); Sardar Krishna Singh Kapur; Mr. John Shaw (Madras); Mr. G. O. Whitworth (B.C.S.); Mr. W. Hamilton Burn (Secretary).

In opening the proceedings, the CHAIRMAN called upon Mr. W. Martin Wood to read Mr. Javerilal's paper.

MR. W. MARTIN WOOD offered the following preliminary explanations:—

It is desirable that some little account should be given of the writer of the paper before us, and of his qualifications to deal with the subject. Mr. Javerilal, now a prominent Hindu citizen of Bombay, is a native of Neriad in the Kaira district of Gujerat, and is intimately acquainted with the rural statics of that province. For many years past he has been accustomed to write on these and similar topics. One notable instance of his capacity in this direction may be mentioned, an elaborate treatise on the history and scope of Local Self-Government in the Bombay Presidency, copies of which may be perused at the office of the Association. As to the writer's logical and literary ability to deal

with subjects of this kind, that will become apparent to those who may read the paper now put before you.

The question in hand may, at first sight, appear somewhat technical; but the principle on which the argument proceeds is clear enough, and, fortunately, there is no difference of opinion regarding it amongst the several parties concerned. Neither the Bombay Government nor its revenue officers make any claim to tax the results of the cultivator's outlay. The Act of 1865, which first consolidated and formulated the Bombay Land Revenue system, expressly disclaims any intention of including in the estimates on which assessments of agricultural land are based any of the returns from, or increased value of the land that may arise from the ryot's capital outlay. Further, the Bombay Government, both under Sir Philip Wodehouse and his successor, Sir James Fergusson, have framed special legislation and passed Acts to prevent encroachment on the outlay sunk in the soil, which is in a peculiarly direct sense the private property of the ryot. And yet, as you will find, it is Mr. Javerilal's contention that, in spite of all these disavowals and precautions, the ryot's outlay is taxed, and the results of his thrift and self-denial are assessed to the land revenue; therefore, the question brought before us by the paper becomes one partly of definition, but mainly one of fact, and I will not further anticipate the writer's argument.

But there is one far larger question raised towards the conclusion of this paper, and in the appendices, which must be glanced at in advance. Mr. Javerilal speaks of "the only real palladium of the agricultural industry—a permanent settlement"; but, as will be seen from the context, he does not insist on this in any such a hard and fast sense as of that excrescence on the Indian system, the so-called Perpetual Settlement of Bengal. And, for my own part, I could not be supposed for a moment to approve of a land policy for India which combines the two opposite extremes of evil—(1) Of renouncing the essential prerogative of the State, as representing the whole community, to share in the surplus resulting from the increased value of land to which all have contributed; and (2), on the other hand, that of abandoning the cultivators to the undefined exactions of non-productive, irresponsible lords of the soil. The chief interest of the paper in connection with this far-reaching subject is that Mr. Javerilal has drawn from unmerited neglect the invaluable memorandum by Mr. Stuart, a Bengal Civilian of 1820, which is here printed as an appendix. The careful perusal of this document must serve to remind many how often, in Indian affairs, the old becomes the new, and the new is found to be the old. Here is a plain Bengal Civilian, whose name had

almost been forgotten, writing whilst the discussion on the Cornwallis Settlement and its more immediate modifications were still fresh, who proposed what Mr. Javerilal justly described as "a self-acting "automatic scheme," which, if it had been adopted and faithfully carried out, would have averted the interminable struggles and evils that have made of the perverted Bengal land system the most formidable of all the internal difficulties in Indian polity. It may not even now be too late to try back to this eminently wise, equitable, and comprehensive land policy suggested sixty-five years ago.

Mr. W. MARTIN WOOD then proceeded to read the following paper by Mr. JAVERILAL:—

In the month of January, 1884, I published, in the shape of a pamphlet, some "Observations on the Land Improvement Loans Act "of 1883." I propose in this paper to continue the discussion with special reference to the taxation of agricultural improvements. The law relating to this very important subject is now contained in sections 106 and 107 of Bombay Act V. of 1879, generally known as the Bombay Revenue Code; and in the Bombay Government Resolution of 26th March, 1884, the Government of Sir James Fergusson were pleased to proclaim, for public information, the general principles by which they interpreted and intended to apply for the future the provisions of the law. In paragraph 34 of this Resolution the Government announced their intention to take into consideration the repeal, in whole or in part, of section 107 of Bombay Act V. of 1879. In accordance with this Resolution a Bill, No. IV. of 1885, has been introduced into the local Legislative Council declaring categorically the conditions applicable to revisions of assessment. In the accompanying statement of objects and reasons it is said that at the time of the earliest revision of a survey settlement in this Presidency, nearly thirty years ago, the Bombay Government laid down the principle that the assessment of land should not be enhanced on account of increased value due to improvements effected by the holder during the currency of any past term of settlement. This principle, it is said, received legislative sanction in Bombay Act I. of 1865, and subsequently in section 107 of the Revenue Code, Bombay Act V. of 1879; but in the latter Act an additional section was added, "which, "although it has never been so applied, as to modify the principle "that the tenant should be secured in the enjoyment of his improve- "ments, does reserve to Government the power to consider, in fixing "a revised assessment, the increased value derived from certain classes "of improvements."

The statement adds that as the Government has not, nor ever had, any intention of using this section to tax improvements, and as it is undesirable that any ground should be allowed to exist for misapprehensions which may discourage the application of private enterprise and capital to agriculture, it is proposed to repeal section 107, and to re-enact the last part of section 106 in a new shape as set forth in the Bill.

While highly appreciating this formal declaration of policy, and while cordially approving the motives which have induced the Government to undertake the repeal of the obnoxious section 107, it is necessary to state very distinctly: (1) that public confidence in this Presidency has been greatly shaken by the notorious taxation of improvements in past settlements; (2) that the principles now announced in the new Bill do not even now provide any sufficient security that the land revenue will not at the time of revision be capriciously or excessively enhanced.

As regards the notorious taxation of improvements in past settlements, the first point to note is that the law is absolutely silent about improvements effected before the period of the *original* settlements. The sections above quoted refer, it will be seen, entirely to *revision* settlements, and to them only. Let us see how, under these circumstances, improvements have in fact been treated under the original settlements. It is notorious that in Gujarat, the most important province of the whole Presidency, old wells have been systematically assessed in defiance of popular protest, and even of strong opposition by some of the ablest officers of Government. The story of the "Bagayut Kussur" or extra cess on wells in Gujarat will be found at length in Bombay Government Selections, New Series, No. 114, Correspondence relating to the introduction of the Revenue Survey Assessment in the Kaira Collectorate of the Province of Gujarat, published in 1869. This subject was thoroughly sifted in all its bearings by the writer in a pamphlet entitled "Notes on Kaira," published 31st December 1870; and a perusal will at once satisfy any person who is interested in the subject, that whatever may be the policy of Government for the future, their practice in the past has been, and during the currency of the present settlement still is, to tax improvements in a very serious manner. It has been already shown that as regards *original* settlements, either in Gujarat or elsewhere, there was no legal objection whatever to tax improvements. Such taxation could apparently be amply justified by native precedents, and there are high authorities who deliberately defend the principle of taxing improvements as being not only in accordance with old custom

in India, but as "being sound in itself and in accordance with well-recognized principles of political economy." In the debate which took place at Simla on the Land Improvement Loans Bill on 10th October 1883, the Hon. Mr. Hope gave expression to these views in the very clearest manner; and he publicly eulogized the obnoxious section which the Bombay Government are now apparently anxious to repeal, as expressing with clearness and precision the sound view of the manner in which improvements ought to be treated by the Government.

Although for some reason or another the Honourable Mr. Hope appears to have been suddenly thrown overboard by the Bombay Government, there is no reason whatever to doubt that he stated correctly the views which had heretofore been in favour, and which had in fact governed the policy of the Bombay Government. Precisely similar views have notoriously been acted upon in other parts of India; and are held in fact by all officials who support what is known as the "Indian theory" of tenants' improvements. In the previous pamphlet before quoted have been expressed very strongly the views which are commonly held in native society regarding this so-called "Indian theory" so clearly described by Sir Stuart Bayley. It has been contended that this theory, even as a theory, is monstrous, and that in its practical application it is simply ruinous.

The revision settlements in Bombay commenced in 1867, and were governed by the provisions of Bombay Act I. of 1865. In these revision settlements, notwithstanding the provisions of section 30 of that Act, improvements, we assert, have been systematically assessed, and the slightest examination of the published literature on the subject will satisfy anyone that the protection of private improvements from taxation is entirely illusory, and that the Settlement Officer is able with the utmost ease to drive a coach and four through the nominal restrictions which the legislature has been pleased to enact for mere decency's sake. He can do so now with all the more ease since the Bombay Revenue Jurisdiction Act X. of 1876, section 4, has now deprived all cultivators of their most cherished right of appeal from the Settlement Officer to the Courts of Justice.

In this connection attention may usefully be directed to the very significant correspondence which the Government have been good enough to quote in paragraphs 16 to 19 of their public Resolution No. X. of 25 July, 1884, relating to the revision settlement of the Jhalod Mahal in the Panch Mahals. In these paragraphs the Government relate the circumstances under which the revision settlement of Indapur was first introduced; and the views of the Survey Commis-

sioner, Colonel Francis, and of Sir George Wingate are quoted at length. It will not fail to be observed that while Colonel Francis wished to apply the provisions of section 30 in a spirit of reasonable liberality to the cultivators, Sir George Wingate,* the great apostle of the Bombay Revenue Survey system, employed all his ingenuity to whittle away the plain meaning of the Act, and to destroy, as far as he possibly could, the whole value of the concession intended by the legislature to be given to those cultivators who invested private capital in improvement of the land.

Sir George Wingate's remarks are as follows:—

“The question of excepting improvements made with the cultivator's capital considered in the 135th and the following paragraphs is an important one, but demands very careful consideration in its practical application. The Survey Act limits the discretion of the revising officer *more than is perhaps desirable*, by the enactment in the concluding part of section 30. Col. Francis considers that this provision clearly exempts land brought under irrigation by the construction of a new well or the repair of an old one, from the imposition of additional assessment on that account. I am not satisfied of the correctness of this view.”

Sir George Wingate proceeded to give his reasons for dissenting, in the well-known passage in which he compared the opening of a well to the opening of a new mine. He declined to agree with Colonel Francis in considering that the conversion of dry crop into garden land at the ryot's expense by the construction of a new well or the repair of an old one to be in all cases excluded from increase of assessment by section 30. He further considered Colonel Francis's proposal to treat new rice-land made out of dry crop land at the ryot's expense as covered by section 30. He admitted that this proposal was not so much open to question, though a good deal might, he thought, be said on the subject of the situation of the land and the additional value of the produce, resulting from its conversion into rice-land.

In connection with the Indapur Settlement Sir George Wingate asserted the right of the State to share in any profits which might accrue from digging a well after allowing for recoupment of capital spent in it and for maintenance. The views expressed by Sir George

* At the time of publishing the “Observations on the Land Improvement Loans Act, 1883,” I was not aware of this important correspondence, which shows that the views of Sir George Wingate on the subject of improvements were not nearly as liberal as I had erroneously supposed them to be.—J. U. Y.

Wingate in this correspondence appear to be in exact accordance with the "Indian theory" of tenants' improvements so clearly explained by Sir Steuart Bayley in the following passage of his speech on the Land Improvement Loans Bill before adverted to :—

"The natural outcome of the Indian point of view is, that when the Government, as the sleeping shareholder in the land, has provided that the improver should receive full interest for his money spent in improvement, and that he has been recompensed for his original outlay, thereupon the Government should retain its right to a share in the improved produce of the soil."

Sir George Wingate's views, though doubtless plausible enough, appear to a plain reader to have been in direct contradiction to the spirit, if not to the letter, of section 30 of Act I. of 1865. He admitted in the plainest terms that the concluding portion of section 30 limited the discretion of the revising officer *more than is perhaps desirable*; and he then proceeded to show how these limitations might in practice be avoided. No doubt Sir George Wingate considered that he was doing the Government good service in suggesting a mode of interpreting section 30 that would practically leave Government full discretion about taxing all improvements; but there is much room for doubt whether he ever seriously considered the effect which his too ingenious interpretation would certainly have on the minds of the cultivators, and it is very significant that the Government even found themselves unable to coincide fully in all his conclusions for the reasons which are stated in G. R. No. 1211 of 27th March, 1868. The whole correspondence relating to the Indapur Settlement, as set forth in the Government Resolution of 15th July, 1884, appears to have a most important bearing on the general question now under consideration. This settlement was, it must be remembered, the first of the revision settlements which took place in the Deccan; and it is perfectly clear from the history of this settlement that the Settlement Officers themselves were by no means agreed regarding the precise scope and proper application of section 30 of Act I. of 1865. It has been shown that Col. Francis, the Survey Commissioner, took one view of this section, and Sir George Wingate another; while the Government, in their final Resolution, differed from both. Now it needs very little examination to perceive that for this difference of opinion there is ample excuse. The words of the Act are in fact extremely vague and are obviously capable of interpretation in more ways than one. The words referred to are as follows :—

“Such revised assessment shall be fixed, not *with reference to* improvements made by the owners or occupants from private capital and resources during the currency of any settlement under this Act; but *with reference to general considerations of the value of land*, whether as to soil or situation, prices of produce, or facilities of communication.”

Special attention is invited to the words marked in italics, and to the very ingenious gloss on this section which is now officially laid down in paragraphs 19 to 21 of the Government Resolution of 26th March, 1884. It will, I fancy, puzzle any experienced lawyer to state how far the language of this section is really operative to restrict the Government from taxing improvements. It seems to be perfectly clear that if revised assessments may be made “with reference to general considerations of the value of land,” everything is really left to the absolute discretion of the Settlement Officer. If he finds (a) that land has been brought under irrigation by the construction of a new well or the repair of an old one; (b) that dry crop has been by the same causes converted into garden land; (c) that new rice-land has been made out of dry crop land at the ryot's expense;—he may in all three cases either consider with Colonel Francis that they are all fairly covered by the terms of section 30 (now section 106, Revenue Code), and should be exempt from taxation; or he may consider with Sir George Wingate that the terms of section 30 must not be construed too strictly in favour of the cultivator, and that land improved at the private cost of the cultivator should be subject to a revised assessment as soon as the cultivator has been recouped for the capital spent. It is submitted with confidence, all glosses and declarations of policy notwithstanding, that this fundamental uncertainty will remain, and will be quite sufficient of itself to deter agriculturists from making any more improvements than they can possibly help. The language of the new Bill, it will be observed, carefully reproduces this *fatal and fundamental ambiguity*; and just as in times past the language of section 30 of Act I. of 1865, now section 106 of the Revenue Code, has proved in practice entirely inoperative to prevent the taxation of improvements, so in the future will the language of the proposed new Act be found similarly useless. The plain truth appears to be that it is utterly impossible for the Settlement Officer in practice to draw any real and effective distinction between improvements effected over a large area by private capital, and those which are due to extraneous causes. During the space of thirty years, and more especially during the currency of the existing settlements, in which prices have been

profoundly affected, not only by the introduction of a new railway system, and the construction of local fund roads, but also by political causes of great intrinsic importance, vast economical changes must necessarily have occurred. Under the increasing pressure of population the area of cultivation must in a period of thirty years normally increase very largely; and the conversion of dry crop into garden and rice-land must necessarily take place on a more or less extensive scale. The Settlement Officer is at once confronted with the fact that, owing to one cause or another, a vast increase of value does in fact invariably take place during the currency of a thirty years' settlement over a large portion of the cultivated area. He is apt, moreover, to find that, owing to one cause or another, a partial, or even a complete re-survey and re-valuation is, for *departmental reasons*, inevitable. In the early years of the Revenue Survey the work was too imperfect, we are told, to be accepted as a standard. The classification of soils adjudged to be cultivable was faulty. The value of the richer soils was underestimated; and the extremes of the scale were not adjusted to the differences in productive capacity, &c., &c. For these and similar reasons it is never in practice found very difficult to justify that most unpopular of all revenue operations which is known as a re-classification of soil. It goes without saying that these so-called re-classifications are a mere euphemism for taxing improvements *sans phrase*. However notorious it may be, and however strongly it may be urged that the increased value of land is chiefly or even solely due to the expenditure of private capital and resources, the Settlement Officer, as a rule, finds little difficulty in justifying his proposed enhancements, either under the extremely elastic provisions of the section quoted, or under cover of the supposed exigencies of departmental symmetry. The excessive enhancements of the assessment so much complained of in many parts of the Deccan were effected chiefly under the supposed necessity of re-classifying rice-land, nine-tenths of which is believed to have been converted from dry crop at the sole cost of the occupant; and it is feared that at the forthcoming revision operations in the several districts of Gujarat similar enhancements will result from the exercise by Settlement Officers of their power of revaluation of rice-lands which have been made out of dry-crop lands at the ryot's expense.

Again, let us consider for a moment the various sources from which capital is ordinarily obtained for the purpose of investment in agricultural improvements. Improvements may be made either from (a) Imperial State Funds; or (b) Provincial Funds; or (c) Local Funds; or (d) Tukavi advances, or advances made under the Land

Improvement Loans Act; or (e) private capital; or (f) from two or more of these sources in combination. Take now for illustration the case of a material increase in the value of land arising from the construction of Local Fund roads or other works. Are such improvements taxable or not under the terms of section 80 of Act I. of 1865 (section 106, Revenue Code), and of the New Bill? If such increased value is made a ground for taxation, it is quite clear that the cultivators are in effect being taxed twice over. They are, first of all, taxed to pay the one anna which is devoted to the improvement of communications, and the communications when made are used by the Settlement Officer as a ground for increasing assessments. Is taxation of this sort, we ask, defensible upon any rational theory?

Take, again, the case of Tukavi advances. It is notorious that improvements effected with such advances have in practice been hitherto held all over India to justify the Settlement Officer in imposing additional taxation. This special case was fully discussed and considered in the debate on the Land Improvement Loans Bill; and it was clearly recognized by the Government of India that the great reason why such advances had not been more extensively used was the very general and well-grounded fear that all improvement made thereby would, as heretofore, form the excuse for increased assessments at the expiration of the present periods of settlement. Take, again, the very numerous and important class of cases in which improvements are effected by private and State capital in combination, or by private capital assisted by State agency or superintendence. How is it possible in practice to determine how far such improvements are properly taxable and how far they should be protected? Of course, as a matter of fact, no such discrimination is ever even attempted. The Settlement Officer could not afford to waste his time in what he would probably consider mere splitting of hairs. He therefore taxes the whole improvements so made as a matter of course; and practically gives no consideration at all to the large amount of private capital which may have been sunk. There is no intention by these remarks to find fault with the Settlement Department for not doing what they apparently should try to do. The sole object of here adverting to the subject is to show that the whole problem of protecting improvements is, *in practical working*, an extremely difficult and complicated one. Our contention is that up to the present time this difficulty has never been adequately realized. The Settlement Department and the Government have fairly refused to face it; and the consequence has been that improvements effected from private capital have been notoriously assessed in all parts of the Presidency. Should any official apologist

be hardly enough to dispute the truth of what is asserted, thousands of witnesses can be produced who will unanimously support what is here stated. The cultivator who finds his assessment doubled at the revision of the settlement, and who knows only too well the amount of private capital he has sunk, the debt he has incurred, and the labour he has spent during the currency of the old settlement,—he, we say, is little likely to be mistaken in his appreciation of the additional burden cast upon him. He will steadily persist, all arguments and disclaimers notwithstanding, “You have taxed my improvements, and “robbed me of the fruits of my industry. Never more will I believe “in you.”

When it is seen, then, how utterly inoperative under the Bombay system all attempts have hitherto been to protect improvements from taxation, and how useless in practice section 30 of Act I. of 1865 and section 106, Revenue Code, have proved, what reasonable ground for confidence is there that improvements will in future fare any better under the proposed new Act? The plain truth is that were private improvements really protected, the Settlement Department would find it far less easy in practice to effect any excessive enhancements at all. It must be candidly admitted that the general limitations of enhancement now announced in paragraph 37 of the Government Resolution of 26th March, 1884, are, as far as they go, a distinct boon. The limitations referred to are as follows:—

1. The increase of revenue in the case of a taluka, a group of villages brought under the same maximum dry-crop rate, shall not exceed 33 per cent.

2. No increase exceeding 66 per cent. should be imposed on a single village without the circumstances of the case being specially reported for the orders of Government.

3. No increase exceeding 100 per cent. shall in like manner be imposed on an individual holding.

These limitations, which were first laid down by Government Resolution No. 5376 of 29th October, 1874, for certain districts in the Deccan, are now declared applicable to all revised settlements introduced after 1883-84. It is a great thing to have obtained any limitations at all, however wide and vague they may be. Ungrateful persons might cavil at the extreme liberality of the margin still reserved to themselves by Government, and might possibly object that a sudden increase of 66 per cent. in the case of a village and 100 per cent. in the case of an individual holding could not possibly be justified on any rational theory of “general considerations” applicable to revised assessments.

In practice, moreover, out of the three limitations above specified the last only, number 3, is of any practical use to the cultivators under a ryotwari settlement. A Bombay ryot has now the miserable satisfaction of knowing that his assessment cannot be increased more than 100 per cent. at the time of revision. The limitations restricting the increase of revenue in the case of "villages brought under the same "dry crop rate" to 33 per cent., and restricting increases in particular villages beyond 66 per cent. "without the special orders of Government," may be all very well as departmental rules; but they are absolutely useless to individual cultivators, and if infringed could never be practically enforced by the persons affected. Fifty departmental reasons would always be available to stave off inconvenient petitioners; and there would be no possible means in practice of compelling adherence to any rule which might be found to interfere in practice with what is popularly known as a spirited fiscal policy.

But while reserving our full right of criticism we must be thankful for such small mercies as may be vouchsafed to us from time to time, and individual cultivators have now, at any rate, the satisfaction of knowing approximately the worst that can befall them. As regards all future revisions of assessment the cultivator's legal position in respect of the protection of his improvements seems to be very much what it was before. So far as the law goes, assessments can still be enhanced *on general grounds* to any extent which may be thought desirable. The limitations now imposed by executive orders still leave immense and altogether arbitrary powers in the hands of the Settlement Department; and it is only too probable that the limits laid down will soon become the recognized rule of enhancement in all future revisions. We have no hesitation in saying that the proposed rule will still leave the cultivator's position hopelessly insecure, and without adequate security agricultural improvement on any extensive scale is plainly impossible. Sooner or later the Government will have to realise the undoubted fact that these resettlements and arbitrary revisions of assessment are themselves the greatest of all obstacles to agricultural improvement. So long as the Government is pleased to reserve to itself the very large powers which the public interests are now supposed to demand, so long, we say, the cultivators have no real security whatever. It is perfectly idle to contend that the Hindu ryot is by nature suspicious and ignorant, and that he ought to be abundantly satisfied with the liberal declarations of policy which are from time to time put forward by the Government and its officers. Capital, we say, is proverbially suspicious in all parts of the world; and the Hindu cultivator is probably quite as shrewd and quite as

sensible as the average cultivator elsewhere. Confidence, we have been told on high authority, is a plant of very slow growth; and we leave it to any candid critic to say whether the facts recited in this paper do not abundantly justify the Bombay cultivator and money-lender in exercising extreme caution about investing capital in agricultural improvement. To all assurances of the Government he will give a patient and most respectful hearing: but he will steadily point to the fact that improvements of all kinds have in the past, both here and in all parts of India, been systematically assessed. He will further point to the fact that the taxation of improvements is a doctrine which is and has been deliberately maintained and justified by revenue officials of the highest position and standing. He will urge that, Acts and Resolutions notwithstanding, the Settlement Department has always hitherto taxed improvements, and in the absence of an effective permanent settlement there is absolutely no means of preventing it from doing exactly the same *in future*. He will finally point with sorrow to the fact that the Bombay Revenue Jurisdiction Act has effectually closed his mouth, and has deprived him of the only real protection which the cultivator has ever yet had, viz.:—an appeal from the Settlement Officer to the Courts of Justice. He will say to the Government, “Repeal section 4 of this Act, and give me back my legal remedy against unjust taxation. I will then believe in your sincerity, and in your wish to deal fairly by me! So long as you are pleased to place a legal gag on my mouth, and to deprive me of my only effectual and constitutional remedy, you must not be surprised to find that I treat all your overtures with reserve and not unnatural suspicion!”

The repeal of section 4 of Act X. of 1876 (Bombay Revenue Jurisdiction) is, I believe, the first and indispensable preliminary towards the restoration of agricultural confidence. If the protection of the Civil Court be restored by the repeal of this obnoxious and unjust section, and if the cultivators can be effectually guaranteed, to their own satisfaction, against sudden and capricious enhancements of assessment, a new agricultural era will assuredly dawn on Western India. If these conditions be pronounced impracticable the Government must be content to wait until some great financial or agricultural disaster shall demonstrate, in a way that no one can mistake, the mischievous folly of the revision settlement policy as hitherto carried out in this Presidency.

It must not for a moment be supposed that there is any intention in this paper of reflecting upon individual officers. We fully recognize that the present policy of Government is marked by an earnest desire

to restore confidence and to promote agricultural improvement. But cultivators have long memories; and they and their advisors cannot avoid seeing that there is a fatal want of continuity in the revenue policy of Government. They mentally contrast the policy of Sir Philip Wodehouse with that of Sir Richard Temple, and the latter with that of Sir James Fergusson. They perceive clearly enough that this policy has in fact varied more or less with each successive Governor, and is greatly influenced by the presence or absence at head-quarters of competent revenue advisers from time to time. The present Revenue Secretary to Government, though a shrewd and able man, is altogether deficient in practical district revenue experience. The Honourable Mr. Peile, whose praises are in every one's mouth, may be transferred to-morrow to Calcutta, and may be replaced by an officer of very different views. Similarly, Mr. T. H. Stewart, in whom general confidence is reposed, may at any time be promoted, and the control of the Settlement Department may be again handed over to a military officer of the type of Col. W. C. Anderson, C.S.I. It is for reasons of this kind, which are often overlooked, that some stable and definite land policy should without delay be adopted. We urge emphatically that the question of revising assessments ought not to be left to the discretion of any Government department, or even of the Local Government itself. For the sake of the public welfare and the vast interests at stake, the Government must be prepared to take a long step further than official opinion has yet realized, and to abdicate altogether its undoubted prerogative of revising assessments on the present system. It must in fact introduce, in some effective shape or another, that grand and only real palladium of the agricultural industry,—a permanent settlement.

No doubt there are many practical difficulties of a serious character which surround this very important subject, but the condition before mentioned is, it is believed, indispensable to any acceptable scheme of permanent settlement which can be suggested, viz., that enhancements, if necessary to be made at all, shall be invariably made according to known and fixed rules, and shall not be dependent, as at present, upon the discretion of any department or any official agency whatever.

In my previous pamphlet entitled "Observations on the Land Improvement Loans Act, 1883," special attention was called to a very ingenious and useful scheme propounded by Mr. Stuart, a well-known officer of the Bengal Council, in 1820. (*See App. I.*) The great merit of Mr. Stuart's scheme is that it is a self-acting automatic scheme, leaving nothing to the discretion of any Government agency, and yet at the same time providing, after a fixed interval, a constant increase

to the land revenue by means of very gradual and almost imperceptible annual increases, which each cultivator can in practice reckon upon and provide for. That a system of this kind, if feasible, is in every way superior to a 30 years' lease, followed by sudden and ruinous enhancements, seems clear to any one who reflects upon the peculiar risks and dangers of the agricultural industry in this country. Insuperable objections may of course possibly be found to this or to any other scheme for which official opinion is not yet ripe; but the merits of the scheme are on the face of them so great and so conspicuous that no pains should be spared to consider the subject in all its bearings, so as to ascertain if no workable scheme on these or similar lines can be elaborated. I append to this paper an interesting letter recently addressed to the *London Times* by Mr. R. H. Elliott, whose testimony strongly supports the general policy here advocated. I may also point out that the views here stated are in substantial accord with the views of Sir James Caird, as expressed in his well-known Report on the Condition of India. They are also supported by the powerful testimony of Sir Louis Malet, as expressed in his Minutes dated 3rd February and 12th April, 1875, Famine Commissioners' Report, Appendix I. As long as all suggestions for a permanent settlement meet with the usual official *non possumus*, so long, we submit, the cultivators will withhold both their confidence and their capital. This may seem to the Government a hard saying, but it is nevertheless true, and it is deeply important.

APPENDIX I.

The proposed scheme is thus stated by Mr. Stuart:—

"In order to correct one great evil of the system, that is, the frequency of the settlements, without adopting the opposite extreme of an assessment fixed in perpetuity, settlements for lives, or for very long periods have been proposed.

"Such a plan would unquestionably be highly advantageous to the zemindars, compared with short settlements; but seems, notwithstanding, open to formidable objections.

"If the uncertainty of the demand be not remedied, a long settlement will only be a respite from the disastrous consequences which may ensue upon a new settlement, when at last it may come; and the zemindars must live in constant dread and anxiety of the approach of that fatal period.

"The precarious condition of families upon such a tenure is manifest. They would often, no doubt, rise to ease and affluence during the long interval of exemption from increase; but when the expiration of their term should arrive, they would be reduced to comparative poverty and distress.

"By frequent settlements, the demand, however severe, is imposed by degrees, and men become gradually inured to the burthen. They have seen nothing better, and their wretchedness is, at least, not aggravated by comparison with a happier state.

"With long settlements, it is to be feared that prosperity and happiness might often be called into being, only to be annihilated by a new assessment. A new settlement might fall upon families as sudden ruin, reducing them from an ample to a scanty income, destroying the comforts and enjoyments which affluence had yielded, and repressing all the habits and notions which it had formed. Such a system might often operate as a confiscation or revolution.

"Viewed in the most favourable light, lands held under a long settlement would be only regarded as a mere leasehold tenure, which, instead of improving by the lapse of time, would every day be losing a part of its value.

"After much reflection on the subject, a plan has occurred to me which would enable the Government to reserve its rights, and afford, at the same time, a reasonable protection to the interests of the landholders.

"Supposing, then, a settlement of an estate to have been made upon the best information procurable, I would suggest that it be further made liable to a small fixed annual proportion of increase to the Jumma.

"Let it be declared, for instance, that from a given time after the settlement (say ten years), estates shall be liable for a given period (say twenty years) to an annual increase (at the rate of, say, one-half per cent.) upon Jumma of Government that such rates of annual increase shall, at the end of the first twenty years, be advanced an additional half per cent., and so on every successive twenty years.

"Provided always, that no levy of the proposed increase shall commence, or having commenced shall continue, whenever the proprietor shall be able to show that he does not derive from his estate a sum equal to thirty per cent. upon the gross income.

"If we are allowed to indulge hopes of the advancement of the country in prosperity and wealth, such a plan would hold out a prospect of an important addition to the public revenue, within a period not excessive for a Government to contemplate, with an unlimited power of raising that revenue, in course of time, to any amount required by the public exigencies, and compatible with the resources of the lands.

"I contemplate it as a further important advantage of the scheme, that it would, in effect, save the Government from the serious measure of assigning its dues from the land for ever, and irrevocably to one, and that comparatively a confined class of the community; and that it might thus prevent the evils and inconvenience with which that sacrifice might be attended. It is obvious that if, in the progress of time, the Government should find itself enabled to dispense with any portion of its land revenue, it might make an abatement from its demand in favour of the chief engagers of any intermediate classes, or of the great body of the cultivators, as experience might show, was necessary for the interests of any particular class, or conducive to the general good of the whole community.

"Any sacrifice of this nature might be made conditionally, reserving to the Government the power of re-imposing any portion of the land revenue which might have been remitted, if the exigencies of the State should require the revenue to be again raised.

"Any portion of the revenue which the Government could spare might, from time to time, be usefully employed in relieving estates too heavily assessed.

"To the chief engagers with the Government the benefits of the plan, as com-

pared with any mode of assessment short of a perpetual settlement, seem apparent.

"It would protect the landholder from that great source of dread and anxiety, the constant recurring demand of a wholly uncertain increase.

"He would know that, at the worst, he could be called on only for a very small annual fixed increase, by the payment of which he would have it in his power to defend himself from all inquisitions into his profits, and from all pretences of the native officers to exact bribes from him on that ground.

"The plan would also, at the commencement, give the landholder all the advantages of a long settlement, in proportion to the period of respite allowed after the final adjustment of his Jumma. I have suggested ten years for that period; but, of course, any longer one may be adopted if judged expedient.

"As the increase would require a lifetime to rise to importance, it would not be contemplated by the individuals with dread or alarm. Its gradual progress would likewise prevent its inconvenient operation on the habits and conditions of families.

"To these benefits of the smallness and slowness of the demand, and of the entire certainty of the amount, is to be added the pledge, that no increase whatsoever shall be levied, so long as the landholder shall not derive from his estate a sum equal to thirty per cent. upon the gross income.

"The landholder would thus be sure that his income could never be reduced below a considerable portion of the assets of his estate, while he would be permitted to enjoy the whole excess beyond that proportion not absorbed by the progressive increase. Now, looking to the slow rate at which the increase would proceed for a long course of years, an estate must be very incapable of improvement which would not yield a growing profit to the landholder for a long course of years after the settlement. If so, the plan would hold forth to the landholders the most powerful incentive to improvement.

"It may be alleged against the plan that it does not, more than that of periodical settlements, promise the landlords an absolute protection from uncertain exaction; since, if errors should be committed, the percentage of increase may from the beginning encroach on the profit left to the landholder at the settlement, and that in time, though, indeed, in a long time, the encroachment might become of serious amount, that entire confidence could not be placed in the value of estates over which an uncertain demand would thus depend.

"The objection is, no doubt, valid to its extent; but admitting that the most moderate reliance could be placed on the integrity and ability of the British public officers, it will be seen that its extent is very limited.

"When it shall be considered how slight the amount of over-exaction from this cause must be, which could take place at any given period, how long a time must elapse before errors could accumulate into importance, and how frequent must be the opportunities for correction, it will be conceded that the evil from this source could never be formidable in itself, nor even produce alarm or mistrust in the minds of the people."

"The scheme is further open to what may be thought a far more serious objection. Allowing ten years for the period of exemption from increase after the formation of the settlement, the progress of the increase would be as follows:

"At the end of thirty years the increase might be ten per cent. on the original Jumma; at the end of fifty years, thirty per cent.; at the end of seventy years, sixty per cent.; of ninety years, one hundred per cent.; at the end of a century the increase might exceed the original Jumma, and obviously must finally overtake any

possible augmentation in the assets of estates. The whole profits of estates above thirty per cent. of the assets would be subjected to the demand of the Government, and the zemindars, in respect of the excess, placed in the situation in which they stand.

"It would be easy to diminish the force of this objection, by proposing a more complicated arrangement; but it would seem preferable to leave the matter to the prudence of future Governments. The plan aims at encouraging the landholders to look forward with hope and confidence for nearly a century; and, ultimately, to restore unimpaired to the Government the unshackled power of taxation and of remission of taxation. To attempt more would be to exceed the reasonable bounds of prospective legislation.

"I do not know that my plan may not have to encounter an objection of a very opposite nature to that of its being unfavourable to the landholders, whether it may not be urged against it that the improvement of the land revenue, which it promises, is inadequate to the reasonable expectations of the State.

"To such an objection I should first answer, that I only propose the scheme as applicable to estates which may be judged ripe for permanency of settlement; that the scheme is not meant to apply to estates on tracts which hold out any just and solid hope of improvement consistent with a large and rapid augmentation of the revenue.

"But I should also observe, that a great portion of the ceded and conquered provinces is indisputably very heavily assessed: that, according to all concurring opinions, neither the means, nor perhaps the feelings of the landholders and agricultural population of those provinces, will admit generally of any but the most moderate and gradual increase of the revenue. To the greater part of those provinces, therefore, I hold to be applicable a scheme which balances between the two extremes of renouncing for ever the essential prerogative of imposing or remitting taxation, or of continuing, by undefined exaction, to press upon the resources, the hopes, the spirits, and the affections of the people."

APPENDIX II.

BILL No. IV. OF 1885.

A Bill to amend the Bombay Land Revenue Code, 1879.

WHEREAS, for the purpose of assuring to holders of unalienated land the full advantage of all improvement in their holdings effected by them or at their cost, it is expedient to define more clearly the conditions affecting the revision of Land Revenue Assessments, and, with this object, to amend the Bombay Land Revenue Code, 1879: It is enacted as follows:—

Repeal of part of section 106 of Bombay Act V. of 1879.

1. The latter portion of section one hundred and six of the said Code, commencing with, and inclusive of, the words, "A revised assessment," is hereby repealed.

Amendment of section 107.

2. For section one hundred and seven of the said Code the following section shall be substituted:—

Conditions applicable to revisions of assessment.

"107. In revising assessments of land revenue regard shall be had to the value of land, and, in the case of land used for the purpose of agriculture, to the profits of agriculture.

TAXATION OF CULTIVATORS' IMPROVEMENTS. 251

"Provided that if any improvement has been effected in any land during the currency of any previous settlement by or at the cost of the holder thereof, the increase in the value of such land or in the profit of cultivating the same, due to the said improvement, shall not be taken into account in fixing the revised assessment thereof."

Statement of Objects and Reasons.

At the time of the earliest revision of a Survey Settlement in this Presidency, nearly thirty years ago, the Government of Bombay laid down the principle that the assessment of land should not be enhanced on account of increased value due to improvements effected by the holder during the currency of any past term of assessment. This principle received legislative sanction in the first Bombay Survey and Settlement Act (Bombay Act I. of 1885), section 80. While this section was re-enacted with little change in the Bombay Land Revenue Code (Bombay Act V. of 1879), section 106, another section was added (section 107) which, although it has never been so applied as to modify the principle that the tenant should be secured in the enjoyment of his improvements, does reserve to Government the power to consider in fixing a revised assessment the increased value derived from certain classes of improvements. As the Government has not, nor never had, any intention of using this section to tax improvements, and as it is undesirable that any ground should be allowed to exist for misapprehensions which may discourage the application of private enterprise and capital to agriculture, it is proposed to repeal section 107 and to re-enact the last part of section 106 in a new section, to be numbered section 107, in such terms as may set forth clearly, absolutely, and without qualification the two simple principles (1) that assessments will be revised on consideration of the value of land and the profits of agriculture; and (2) that assessments will not be increased on revision on account of increase to such value and profits due to improvements effected in any land during the currency of any previous settlement by or at the cost of the holder thereof.

(Signed) J. B. PEILE.

Bombay, 28th February, 1885.

By Order of H. E. the Right Honorable the Governor in Council,

(Signed) C. G. W. MACPIERSON,
Under-Secretary to Government.

BOMBAY CASTLE, }
28th February, 1885. }

APPENDIX III.

THE NON-ASSESSMENT OF IMPROVEMENT.

(From the "Bombay Gazette," January 1, 1884.)

The following papers have been sent us for publication :—

REVENUE DEPARTMENT,

BOMBAY CASTLE, 10th November, 1881.

Submitting the report called for
by Government Resolution No. 1889
of 8th March, 1881, an extract,
section 8, Chapter IV., of the
Report of the Indian Famine
Commission, Part II., regarding

Letter from the Commissioner in Sind, No. 2202,
dated 18th June, 1881.

Joint letter from the Commissioners Central, South-
ern, and Northern Divisions, and the Survey and
Settlement Commissioner, No. 2725, dated 28th
Sept., 1881.

Note by the Commissioner, N. B.

Government loans to facilitate land improvement.

RESOLUTION.—Government are unable to see that any discouragement to improvements made by private capital need be caused by section 107, clause (b) of the Land Revenue Code. Government are competent at any time to declare how they interpret that clause, and to notify that it will not be held to apply to any particular class of improvements. Government are now prepared to give a general assurance that clause (b) will not be applied to wells dug at the expense of the owner or occupier of the soil. In the same way, in any other specific case, Government will decide, at the request of an applicant for an improvement loan, whether the clause applies to his project or not. Government are also willing to give general application to the two rules as to wells in force in the Deccan and Southern Maratha Country (Nairne's Hand-book, page 1589). The Survey Commissioner may prepare a notification in accordance with the above views, and report whether any modification in the way of greater liberality or security is called for.

REVENUE SURVEY AND ASSESSMENT.

No. 1028.

REVENUE DEPARTMENT,
BOMBAY CASTLE, 25th February, 1874.

RESOLUTION.—Colonel Anderson requests that the orders of Government in respect to the revision of the assessment on lands irrigated from wells may be reconsidered. He objects to them as involving a needless sacrifice of public revenue.

Those orders are—

1. That in the case of old wells constructed before the first settlement, in dry and arid districts, all special water assessment should be abandoned, and the maximum jera yet rate alone levied.

2. That in the case of new wells constructed subsequent to the first settlement, the ordinary dry crop rate should be imposed, without any addition whatever on account of the new wells.

3. The question has now been very fully discussed. His Excellency the Governor in Council has no hesitation in re-affirming the second order, which has been approved of by the Secretary of State, which has already been productive of good results in encouraging the construction of new wells, and which is based on the broad and liberal principle laid down in section 80 of the Survey Act, namely, that improvements made during the currency of a settlement are not to be taxed.

4. The opinions that have been elicited during the course of the present correspondence convince Government as to the policy and expediency of the first rule. It was intended in the first instance to be applicable to the drier talukas of the Deccan Collectorates, where the rainfall is, as a rule, light and uncertain. His Excellency the Governor in Council is now pleased to decide that it should be generally adopted in the Deccan and Southern Maratha Country, but that the Survey Commissioners should at their discretion be empowered, in the case of districts where well irrigation has been carried on on an extensive scale, to impose an assessment which should in no case exceed a well assessment previously levied.

5. Boorkies of permanent construction are to be treated as wells. There is no objection to the plan which Colonel Anderson states he has adopted, of placing at a higher rate land within a certain distance from a stream from which water can be obtained by means of a boorkie. The same principle may be adopted in the case of land which is found to derive benefit from its proximity to a tank. This

should form part of the regular process of classification, in order that it may be tested by the classing assistants in the same manner as other classification returns.

APPENDIX IV.

Extract from London "Times" of 7th February, 1885.

THE AGRICULTURAL RESOURCES OF INDIA.

To THE EDITOR OF *The Times*.

Sir,—In my last letter I pointed out the need of active Government aid in order to help the Indian cultivator out of his manifold difficulties—so far as he can be helped out of them—and left over for remark the need that exists for such an alteration in the land tenures as may provide the people with adequate inducements to invest labour and capital in petty irrigation works. With your permission I will now offer some suggestions on the point.

The existing system of tenure for all Government lands (about four-fifths of all lands in our territory) is to grant the occupiers 80-year leases, subject to revaluation at the close of the term. The lease declares that, when a revaluation is made, no enhancement is to be levied on account of increased value arising from permanent improvements made by the occupant. But, as there is no limit fixed to the amount of revaluation on general grounds, such as the opening of new markets and communications, and the state of prices at the time, it is evident the rise on such grounds might be so high as to destroy the value of the improvements, or, at least, reduce their value in an indefinite degree. And that this practically is so, we know from the fact that the augmentations of rent in the Bombay Presidency were once so excessive, that the Government ultimately found it necessary to grant a large reduction on the revaluations. The lease, therefore, does not provide an investor with absolute certainty, and consequently fails to give those inducements to invest capital and labour which ought to be afforded. In order to surmount this fatal flaw in the tenure three courses are open. One is to grant a permanent assessment for all lands; another to grant a permanent assessment for all land brought under irrigation at the occupier's expense; a third to grant 99-year leases for all lands.

There is a very strong party in favour of the first proposal, and with reference to it I may be permitted to quote an interesting passage from a letter I received from the late Prime Minister of Mysore some years ago.

"As you know," he wrote, "I have decided views on the subject, and the withholding of the permanent assessment is a serious injury to the extensive petty landed interests in the country, and it is no gain whatever to the Government. Nearly the whole population of this country are agriculturists, and live in one way or other upon the cultivation of land. The effect of a permanent settlement will, therefore, create a greater feeling of security, and to encourage the outlay of labour and capital on land will be beneficial to the entire population. It will thus be quite a national measure reaching all, and not in the interests of a few, and is calculated to develop the capabilities of the land to the utmost. The prospect of the Government ever being benefited by the reservation of an increase of assessment on the unearned increment is a mere dream. Such increase is sure to be resisted and evaded, occasioning meanwhile great discontent. The Government

may confidently look to the development of other sources of revenue from the increased prosperity of the people." The writer, I may add, was a gentleman of great experience in landed matters.

Let me now glance at the proposal to grant a permanent settlement for all lands brought under irrigation at the occupier's expense. This would no doubt be a useful measure, and would, of course, attract capital to land, but would be troublesome to work, as it would entail much minute investigation into every petty irrigation work proposed to be made.

The third proposition—that of granting 99-year lease for all lands—would provide an inducement to improve nearly as great as under a permanent assessment; while the State would have an opportunity of guarding against any fall, in the distant future, in the value of the precious metals. It might be objected to this proposal that the motives to improve would cease for a great many years previous to the expiration of the lease. This difficulty, however, might be easily surmounted were the State to offer new leases to those desirous of effecting an improvement at about 20 years previous to the close of the 99-year term. This third proposition is one which the Government could certainly carry out with safety to itself, and there would seem to be no reason whatever against its immediate adoption.

But whatever plan may find favour, one thing is certain, and that is, that some measure for attracting labour and capital to investments in petty irrigation works should be at once adopted, for the experience of the last famine shows us clearly that, over immense tracts of India, such works are the only ones to be relied on in cases of protracted drought. This was particularly shown in Cuddapah district, Madras Presidency, where, when the tanks were dry and the country in general was like a desert, there were magnificent crops of maize on the lands irrigated by wells. But nine-tenths of these were due to the fact that the land on which they existed was private property, subject to a fixed annual rent, or held rent-free for various reasons. The key, then, to the mitigation of famines in many tracts of India is to give the people tenures that will induce them to do generally what they will only freely do on lands which are either held rent-free or which have a permanent annual rentcharge.

There are other important points, of course, to be noticed in connection with this great subject; but I have probably said enough to show that the landed welfare of India and the protection of the people from famines can never be secured until we reform our present short-sighted landed policy.

Obediently yours,

ROBERT H. ELLIOT.

Clifton Park, Kelso.

The CHAIRMAN (the Right Hon. Acton S. Ayrton): Gentlemen, we have all heard this very interesting paper read. It is extremely difficult to follow it as one would desire, because the subject is one which rather requires division into several distinct parts, and the paper passes from one to another backwards and forwards to such a degree that it is very difficult to gather up the details of any one of those subjects. I may be excused from attempting to do so, because I was only asked to occupy this position on Saturday, and I need hardly say that to refresh one's memory upon all the points referred to in the paper which has been read upon this occasion, and within so short a period, leaving out the Sunday, would require very considerable effort, much more than I could attempt and much more than I think anybody could succeed in accomplishing. I was Chairman for three years of a Committee in the House of Commons to inquire into the finances of India, and that necessarily resolved itself into the two branches of the revenue of India and the expenditure of India; and, amongst other things, we investigated at very considerable length the land revenue of India. I was also a member of a Committee which undertook a similar task in regard to Ireland, where there was a system of Government assessment of the value of the land for the purpose of taxation, and where that assessment was carried on upon principles which might be applied, to some extent, to the assessment of the land revenue in India. Now the first head under which we have to consider this subject is the general policy of the collection of the land revenue in India. Well, that itself is a very large and comprehensive question, and I have always observed that there are two different schools of opinion with regard to the land tenure. One is that the occupiers who claim to be owners (or claim to be the permanent occupiers of the land) are the freehold owners of the land, and that the claim of the Government is precisely the same claim that the Parliament of this country makes, namely, a right of levying a tax upon the owner of the land in order to meet the exigencies of the State. There is another class of the community who think that the occupier who claims to be a permanent occupier is not the owner at all, but that the Government owns the land, and that he is the person allowed to cultivate it by their permission for which they are at liberty to demand whatever they please. Well, I need hardly say that, with two such absolutely contradictory schools very different conclusions are drawn with reference to the nature of the laws that ought to be passed by the Government for the collection of the land revenue; and those who enforce the laws are also very much influenced

by the views they take of the position of the owner, the mere occupier, or the permanent occupier, I will say, to use a neutral term, of the land. My own opinion is that the permanent occupier is undoubtedly the freehold heritable owner of the land, and that the Government is nothing more than the State levying a tax upon him such as his occupation is able to bear without destroying his reasonable profits, and therefore the cultivation of the land itself. Unfortunately, this question has been involved in the utmost complication by the enormous dislocation of the institutions of India during the Mahometan empire, and the immense oppression, extortion, and corruption of every kind into which every action of the State degenerated long before the British Government obtained possession of their dominion. Therefore it is not surprising that the Government of Bengal or of India should desire to find some scheme by which they could extricate the administration of the land revenue from the very deplorable state in which they found it, and they hit upon the expedient of making a settlement once for all, so that the people should not be given up every year when the land revenue was to be collected to that process of corruption and abuse. And that seemed to be a noble gift, if I may say so, on the part of the Government of India to the ryots and the people which they did not before possess. But, unfortunately, the Government that passed that legislation knew very little about the subject matter on which they were legislating, or, at all events, acted as if they knew very little about it, and the result was that they made a scheme of the most profound injustice and wrong, both to the Government and to the people, and the only persons who were benefited were those who had no right at all, namely, the intermediate collectors and managers of the revenue who held districts large enough for them to superintend the taxpayers and get out of them as much money as could fairly be extorted for the benefit of the Government of the State, and as much more as could be unfairly and unjustly extorted from the people for the collectors themselves. That being the state of things, of course, great evils have flowed in on both sides, in both directions, from that operation, and, no doubt, some good; but even the good has not been unattended with very considerable oppression and not a little evil to the people who actually owned and cultivated the land. In that state of things the Government disregarded two fundamental duties that they owed to the people and to the State. First, they fixed the revenue permanently, so that all the changes that in the course of time might take place operated in this wise:—If the changes were to the prejudice of the newly-created zemindar he was at liberty to throw up his land and abandon the property; if, on the other hand,

however great they might be for his benefit, whether intended or unintended, he put them all into his own pocket without conceding anything to the State. And there was another fundamental blunder, the area of the lands collection that were constituted his estate embraced all the uncultivated lands within his collectorate—if I may use the phrase—within his management. And then, as the population increased and that land came into cultivation, he took all the revenue that was derived from it or that he could obtain from it without rendering any account of what he so obtained to the Government, although that revenue, of course, in the natural order of things, was not his revenue, but a revenue he would otherwise have collected for the State and handed over as a part of the land revenue. Nothing, therefore, could be more unhappy than that arrangement. On the other side the unfortunate cultivator was placed under the despotism of his zemindar to whom was granted all those enormous powers which in all countries are given to the State for the purpose of collecting its revenue. Therefore, these people, the masses of the people, were placed under the heel of men who became rich, and who, therefore, could practically do what they liked, both by their position and by their own wealth, whereas the cultivators themselves were perfectly helpless and hopeless, I may say, in the condition to which they were reduced. That was the result I came to on hearing the evidence of public men of great position and consideration as regards what is called the permanent settlement of Bengal. Well now, the Government of Bombay, when it acquired the provinces which it now possesses, being fully alive to the evils of permanent settlement, and equally alive to the evils of annual settlement, or what is termed settlement in the treatment of the cultivators, took a middle course, and that was to make settlements that should last for a considerable period. Now those proceeded upon this principle, that the first settlement which was to last for this period should be carried out with great care and foresight, not by the subordinate native agents, who would be liable to all sorts of intrigues and fall naturally under temptation, but by Englishmen who would be quite above temptation, and who would be animated by a sincere spirit of justice to the taxpayers. The tax being fixed for a term, of course, it became necessary to consider on what principles and on what policy the settlement should be made, and so define it, that it should not become even in its operation in any way oppressive to the people, or tend in any way to prejudice a spirit of improvement, but, on the contrary, should tend to increase the produce of the land, and that the whole of that increase should go into the pockets of the cultivator himself by whose

industry and capital it might be obtained. That was a very intelligent policy. I recognised the position of the permanent occupier as the rightful owner of the land. He could deal with it as he pleased. All he had to do was to pay his tax precisely as an owner of the land in this country. He may do what he likes with his land, however much he likes to complicate it, if he only pay the tax which the Government demands upon the land, from which he cannot escape. Well, gentlemen, that policy was clear, and to make it more clear there was a general expression rather in the nature almost of a direction, as it is a thing which cannot be absolutely defined, that they were not to assess to the detriment of the owner of the land those matters which were plainly and palpably not the natural condition of the value of the land, but the artificial condition given to it by the labour and capital of the owner. The definition of that is almost impossible. All you can do is to lay down broad principles in language that men of education can apply, if they are not under the influence of prejudice. But there are, I suppose, still—there were, when I was in India—two schools of public servants, one with an inordinate zeal for what was supposed to be the interest of the Government, by raising the revenue in any way that was possible or practicable, and another school of public servants, who thought that their highest duty was to regard the interests of the people, and who therefore took a different view, thinking that that which was prejudicial to the interests of the people, though it might for the moment appear to be for the benefit of the Government, was not, in the main, for the interest or for the benefit of the permanent administration of the British Government in India. These liberal-minded men, of course, would read the general instruction in one sense, whereas those who were extremely zealous for the finances of India, as it may be said, in the district, took an opposite view. They thought it was their duty to discard everything as the work of the man that they could consider, under any circumstances or any conditions, as an addition to the value of the property, independent of himself. That, of course, gives rise to an enormous number of considerations when you come to apply them in detail. We know, for example, as a fundamental principle, that the increase of the produce of the land may be said to come very much under the definition to be found on great authority, "Man laboureth, and God giveth the increase." Well, that is one way of treating the subject as regards the quantity of the produce you can get out of the land on any given data. But then that is only one view. Given the quantity, what is the exchangeable value of the property? That does not come under the first definition; that is not a thing depending on the man. That is a

thing that arises out of another condition; and the first fundamental law, as I understand it, is this, that the value of the produce of land is in proportion to the number of the people who do not cultivate the land, but can resort to the cultivator to purchase his produce, and the more numerous the people are who go on cultivating the land, without a proportionate number of non-cultivators, the less becomes the exchangeable value of their produce. I recollect years ago having to illustrate that when I was urging the necessity of railways going from Bombay into the heart of the interior, I said, pointing to the valley of the Nerbudda, "There is a country where, in some parts, the people feed their cattle off ripened corn, because they cultivate so much and are all cultivators, that they do not know what else to do with it; they cannot sell it, because nobody wants it, and the only alternative, therefore, is to feed their stock, and let them eat down the ripened corn, lest it should rot upon the ground." Well, gentlemen, we have seen from the change of circumstances, which, I ventured to say, would result from the making of the railway from that district to Bombay, that, at any rate, during the last year or two they were actually bringing the corn from that district in order that it should be sold in the London market, showing, therefore, how entirely value is created by circumstances quite independent of the cultivator of the soil, and independent of the nature even of the soil itself. And in India, though changes go on slowly, yet they nevertheless in the end produce enormous results, and you find that values undergo great changes in different parts of India. That is a condition which, at the re-assessment of the land, is properly taken into account; and if land, which produced no value whatever, after thirty years is found to be producing enormous values arising from changes of relations, then, of course, that is a legitimate ground for raising the assessment. I only give that as an illustration of the great complexity of this question when you have to consider all the circumstances that may lead to a re-assessment and a change of value; but to suppose that you can lay down a hard and fast rule that shall apply to all India, and that the land assessment will rise, or should rise, say half a cent. from year to year, all over the country, is the most impracticable idea I ever heard connected with the subject. In some places it might fall one-half per cent., while in other places it might rise a great deal more than one-half per cent.; but to suppose you can lay down any such principle, or apply any such principle, is the most chimerical proposition that really, with great respect to the gentleman who wrote that suggestion, I ever heard of in connection with the land revenue. Therefore, I do not think we can look to that remedy for

the grievances of which this paper complains.' If we pass from general principles to the application of the laws that are passed, or the rules that are laid down in general terms, we then come to a totally different consideration, that is, the conduct of the public servants of the revenue department at the present time generally, or in particular cases. Of course, particular cases in a subject like this are not to be confounded with the general conduct of the officers of the Government. You can always, if you select particular cases, make a very monstrous thing of any government, and of any government proceedings, but we must not accept any such particular statements as a general practice. What we have to consider is, what is their general conduct, because if there are particular cases, I apprehend that, although the courts of justice are shut against them, yet an appeal to the Government itself is not closed against them, and if they make that they can obtain redress. When I say government, I do not mean to the head of the government itself, but to some head officer in the district. And the other remedy is for the Government to give more detailed instructions to its officers whenever they hear of any erroneous conduct on their part, explaining to them that it is not the intention of the re-assessment to do what is deemed to be objectionable. But we cannot, sitting here, I think, really discuss that question. In the first place, it would require a very large investigation to ascertain the extent of the errors made by the public servants in India in dealing with the settlement; and then it would require also very minute inquiry to ascertain what changes or what new instruction should be given for the purpose of improving their conduct in the performance of their public duty. I should not for a moment attempt to go into it. I know what it was in the investigation of the Committee of the House of Commons to stumble upon particular cases of grievances: they are quite foreign to the consideration of such a large subject as this. In point of fact, that is one of the besetting sins, if I may say so, of the consideration of Indian questions. People take to a very limited area of the country, and think they can speak from that over the whole affairs of India, whereas you might as well say, because something happens you have heard of at Boulogne, assume it is applicable to the whole of the Continent of Europe. There is as much difference between one part of India and another as there is between what happens in France and what happens in Russia. I got at last into the way of saying, "If it is perfectly well for Bengal I should take that to be probably a very good reason why it will not do for any other part of India"—not that it will do, but that it will not do, because the Bengalee is a peculiar person, and the whole of

the affairs of the Bengalee are equally peculiar to that country. Therefore you must look at the particular district only for the light to guide you in dealing with the affairs of that district, and the instructions and rules it might be necessary to give in determining any questions connected with the land revenue of that district. They may be quite different from the rules you would frame for other provinces of India, which for centuries have existed under an entirely different condition of affairs, and where the land itself and all its relations are entirely different. With regard to the elements of assessment, they are always understood to be the natural element, namely, the quality of the land for producing commodities, and water, without which the land cannot perhaps produce anything. Those are the permanent elements of the settlement: those are things that can be perfectly appreciated, and I think the distinction may be limited to a certain extent to that, to ascertain whether there is only deep water, or whether there is water on the surface, or nearly on the surface, and whether irrigation may be obtained by the natural flow of rivers on land which is below the ordinary level of the rivers (without being subject to overflow), because there is in combination with the land an unlimited supply of water. One has heard of £7. an acre being the land revenue of fertile land under such conditions, and that probably would leave a larger profit out of an acre than another piece of land that was paying 2s an acre to the land revenue. Those are extreme cases, but that is the natural basis on which the land revenue rests; and immediately between those there are a great variety of conditions. And then you have to superadd—at least some revenue officers seem disposed to superadd—that which is not a natural condition at all, but is the result of the labour and the capital of the occupant of the land. And that I am quite free to protest against as a great violation of the first principles that ought to underlie any assessment, because it tends to restrict cultivation, to limit production, and tends rather to impoverish than to encourage the growth of the industry and the wealth of the nation, upon which alone the Government can rightly depend for any increase of its revenue, and any increased advantages that it can by possibility confer on the people of that country. (Applause.)

Mr. W. MARTIN WOOD.—Mr. Chairman, and gentlemen, I may be allowed perhaps a moment on behalf of those who are absent, more especially in regard to Sir James Fergusson, who has been advertised to take the chair. There is a letter of acceptance from him, very heartily agreeing to preside—subject only to the chance of his having to go to Manchester; but when he came to look into the paper he

found that it dealt with transactions that his Government had been so closely connected with that he thought it might perhaps be a little difficult for him to take part in the proceedings to-day, so that is the principal reason why he afterwards asked to be excused from presiding. Sir James Caird, we rather hoped, would have been here, as, in connection with the Famine Committee, he has been so identified with this question; and, in regard to the question discussed in the paper, he makes this remark, which it may be useful to mention—"In Mr. Peile's note of the 28th February last, in the Appendix, page 249, "I think the equitable view as between the Government and the "cultivator is well stated, and as those are the principles upon which "the Government is now acting, I think there is not much ground for "complaint. I regret it will not be in my power to take the chair, "when the paper is read, as my official duties at present occupy all "my attention." Mr. Wilfrid Blunt also would have been here to-day, but he could not get back to town in time. Mr. Slagg also had to leave town, or he would have been present.

Mr. ALEXANDER ROGERS.—I am very glad to have the opportunity of saying a few words with regard to this paper. It refers a great deal to what I myself have had a great hand in bringing about in Bombay. So long ago as 1850, I commenced the original revision of the assessment in Gujerat, which is alluded to in several places in this paper. Subsequently, as Revenue Commissioner and a Member of the Government, having had a great deal to do with the policy which is attacked in it, I can with a clear conscience fully re-affirm what is stated in Mr. Peile's resolution which has just been quoted, that the Government of Bombay, notwithstanding any imperfection that there may be in the wording of section 30 of Act I. of 1865, or in the similar section of the Bombay Revenue Code—never had the slightest intention of taxing improvements. "And not only do I say that, but I mean to say, notwithstanding what is said in this paper, that they have not taxed improvements. It is very strange that although Mr. Javerilal asserts it throughout he does not give a single instance in which it has been done; and I should have thought, if it had been done, he would have been able, with the greatest ease, to quote a number of instances. In the first place, he objects to the assessment of improvements that were found to have taken place before the original introduction of the revised settlement. If you were to go to the bottom of that, it would oblige the Government in revising any assessment in India to go back to what, in talking of the affairs of Ireland has been called the "prairie value." The wells that have been constructed in Gujerat and the other improvements that have

been effected in the way of turning dry land into rice land, and so on, were carried out under the old system by which the heads of the villages had out of the revenue of the State made those wells and other improvements. I maintain, therefore, that that was a perfectly legitimate subject for taxation at that time, not only on general principles, but for the special reason that the people who made those improvements, out of the State revenues, as I say, were dead and gone. Those improvements were made generations ago; therefore not to have taxed them now would be to give the benefit of them to people who had nothing whatever to do with making them, and on that ground I distinctly state it was quite a legitimate policy to tax improvements which were in existence at that time. As to improvements that were to take place subsequently, there can be no manner of doubt whatever. It was distinctly laid down in section 30 of Act I, of 1865, and re-affirmed in the Bombay Revenue Code, that no increased assessment was to be made except upon general considerations, and that any improvements carried out by the capital and labour of the tenants should not be taxed. And I am certain that that has been acted up to. I am very much astonished at the opinions of Sir George Wingate that have been quoted in this paper. I can only think that as he had retired from the Service for many years before that minute on the Indapur settlement was written, not the Indian but the British theory had taken possession of his mind. I believe that in England a landlord considers, when he has given a lease for a number of years, and improvements have been made by the tenant, that when the tenant's expenditure has been re-imbursed with a fair amount of interest, he, as landlord, is entitled to a fair share of the profits. Whether that was what may be called the original Indian theory or not I cannot say, but that theory was distinctly set aside by the Bombay Government in the laws that have been enacted, and that principle has been kept to. Mr. Javerilal takes it for granted that in all revisions of assessments now an increase will be placed upon the land in consequence of improvements. I do not think that is the case; in fact, if the Government act up to the letter of the law, it is perfectly impossible that it should be the case. He makes out that it will be very difficult for the Settlement Officer to distinguish what are improvements and what are not improvements, in order to decide whether he will put on any assessment or not. I can answer for it that under the Revenue Survey system there is no difficulty whatever. The system of classification is simply to classify the land as dry crop, and wet crop, and rice land. If a piece of land at the original settlement is entered as dry crop, and at the end of the thirty

years of the revised settlement is found to be wet crop, it will be reassessed as dry crop, and, therefore, the whole value of the improvements that have been made in the meantime will go to the cultivator. Having fixed the assessments in Gujarat for a number of districts with my own hand, I can state that in all rice land as well as in what are called Kooweter (?) lands, that is, land under irrigation from wells, the dry crop assessment was kept entirely distinct from the wet crop assessment, one reason being that rice cultivation in Gujarat is very precarious, and even in well land irrigation-cultivation is precarious because wells may fall in. I deliberately kept the two assessments separate in order that there should be no difficulty whatever in granting remissions of assessment in case of failure of crops, and also that in case of a future revision, the Settlement Officer might have no difficulty in saying what was originally dry crop land and what was land under irrigation; so that, as far as that goes, Mr. Javerlal is completely wrong in saying that the Settlement Officer would have any difficulty in saying what land has been improved since the settlement was introduced and what land has not been improved. He makes a point on page 241, when he says:—"Improvements may be made either from (a) Imperial State Funds; or (b) Provincial Funds; or (c) Local Funds; or (d) Tukavi advances, or advances made under the Land Improvement Loans Act; or (e) private capital; or (f) from two or more of these sources in combination. Take now for illustration the case of a material increase in the value of land arising from the construction of Local Fund roads or other works. Are such improvements taxable or not under the terms of section 30 of Act I., of 1865 (section 106, Revenue Code), and of the New Bill? If such increased value is made a ground for taxation, it is quite clear that the cultivators are in effect being taxed twice over. They are, first of all, taxed to pay the one anna which is devoted to the improvement of communications, and the communications when made are used by the Settlement Officer as a ground for increasing assessments. Is taxation of this sort, we ask, defensible upon any rational theory?" This seems to take it for granted that these improvements will be taxed. I distinctly say they will not. He assumes the case with regard to Tukavi advances. He says:—"How is it possible in practice to determine how far such improvements are properly taxable and how far they should be protected? Of course, as a matter of fact, no such discrimination is ever even attempted. The Settlement Officer could not afford to waste his time in what he would probably consider mere splitting of hairs. He therefore taxes the whole improvements

"so made as a matter of course; and practically gives no considera-
 "tion at all to the large amount of private capital which may have
 "been sunk." I distinctly say that is not the case, and I challenge
 Mr. Javerilal to prove it. He has no ground to go upon in stating
 that improvements have been taxed. When he mentions the case of
 the enhancements of Revenue in the Deccan, he states that those
 enhancements have taken place in consequence of the re-assessment
 of land which had during the period of settlement been brought
 under rice cultivation. That, I believe, has not been the case. The
 enhancements of assessment have arisen in this way. At the time of
 the first settlement, the land was of very little comparative value.
 Under the Survey system it has always been the custom to throw
 a certain amount of land into what are called Survey Fields.
 Pieces of land were found under cultivation in too small areas to
 form into Survey Fields by themselves. The consequence was that
 large quantities of land were thrown in to make up the minimum
 areas of other numbers. Land being then of very little value, the
 classers were not particular in classing the worst land that was thus
 thrown in, and the whole area was put down as unarable. At the
 end of thirty years it was discovered that this unarable land had
 actually been brought under the plough. There had been no improve-
 ment whatever made; it had simply been ploughed up and cultivated.
 Those lands which were found in actual cultivation without any
 expense on the part of the tenant were naturally assessed to the land
 Revenue, and hence a great enhancement of assessment took place in
 the Deccan collectorates. But that certainly cannot be called taxa-
 tion of improvements. The limitations of assessment that have been
 laid down were so first of all, when I was a member of the Bombay
 Government in 1874; they are quoted at page 248—"1. The increase
 "of revenue in the case of a Taluka, a group of villages brought
 "under the same maximum dry-crop rate, shall not exceed thirty-
 "three per cent. 2. No increase exceeding sixty-six per cent. should
 "be imposed on a single village without the circumstances of the
 "case being specially reported for the orders of Government. 3. No
 "increase exceeding 100 per cent. shall in like manner be imposed
 "on an individual holding." Mr. Javerilal admits that this limi-
 tation on re-assessment has been a boon, but he goes on to say—
 "Ungrateful persons might cavil at the extreme liberality of the
 "margin still reserved to themselves by Government, and might
 "possibly object that a sudden increase of sixty-six per cent. in the
 "case of a village and 100 per cent. in the case of an individual
 "holding could not possibly be justified on any rational theory of

“ ‘general considerations’ applicable to revised assessments.” Now, to an English audience, I may quote the case of a landowner near the stations of Swindon or Crewe. Perhaps fifty or sixty years ago the lands were comparatively worthless; but in consequence of the construction of railways and the starting up of large towns in those neighbourhoods I suppose it would be not at all uncommon for land to have doubled its value within the last thirty or forty years. Mr. Javorilal says on page 245, “ We fully recognize that the present policy of the government is marked by an earnest desire to restore confidence and to promote agricultural improvement. But cultivators have long memories; and they and their advisers cannot avoid seeing that there is a fatal want of continuity in the revenue policy of Government. They mentally contrast the policy of Sir Philip Wodehouse with that of Sir Richard Temple, and the latter with that of Sir James Fergusson. They perceive clearly enough that this policy has in fact varied more or less with each successive Governor, and is greatly influenced by the presence or absence at headquarters of competent revenue advisers from time to time. The present Revenue Secretary to Government, though a shrewd and able man, is altogether deficient in practical district revenue experience. The Honourable Mr. Peile, whose praises are in every one’s mouth, may be transferred to-morrow to Calcutta, and may be replaced by an officer of very different views. Similarly, Mr. T. H. Stewart, in whom general confidence is reposed, may at any time be promoted, and the control of the Settlement Department may be again handed over to a military officer of the type of Col. W. O. Anderson, C.S.I.” I think that is a very unfair attack to make upon an absent man. I have known Col. Anderson for a long time, and have had a great deal to do with the assessments he has made; they have passed through my hands as a Member of the Government, and all I can say is that a more single-minded Officer than Col. Anderson I never came across. He never, I can vouch for it, had the slightest idea of increasing the assessment to the detriment and injury of the tenant. The Chairman has alluded very rightly to the impracticability of the scheme proposed by Mr. Stewart, of the Bengal Service, in 1820, which Mr. Javorilal approves. In his remarks he was very right in saying that circumstances had entirely changed. Railways were not thought of in those days, and it must be recollected that in the Bombay Survey it is not only the positive value of the land that is taken into consideration but the relative value. The circumstances of the whole of the Empire are changing every day in consequence of the construction of railways. A market that in former days was of the greatest value in one part of the

country may be now nearly useless in consequence of new markets springing up. If a permanent settlement were now to be fixed on the basis of present conditions, it might consequently be found in a very short time to be utterly inequitable in consequence of the starting up of new markets and the shutting up of old ones. In all considerations with regard to the enhancement of assessment this point must not be lost sight of, that we settle not only the positive but the relative values of the land. I had the honour some three or four years ago to read a paper before the Association, in which the detailed manner in which all these points are taken into consideration by the Bombay Revenue Survey were clearly set out; and if anybody will do me the favour to take that old paper and read it they will see that the most minute circumstances are so considered in fixing the assessment.* I can vouch for this, that all the settlements are carried out by the Settlement Officers with the single-minded view to protect the interests of the ryots as well as, consistently with that protection, to uphold the interests of the landlord.

Mr. C. W. ARATHOON: May I ask, as Mr. Rogers is practically connected and locally acquainted with this matter, what objection there is to Mr. Javerilal's suggestion that the Civil Courts should try disputes? Mr. Rogers says that the ryot's improvements are not taxed. Mr. Javerilal says that they are. That is a question that ought not to be left in the hands of the Settlement Officers, I should think, without any safeguard.

Mr. ALEXANDER ROGERS: I can only say that before the law was altered the tenants did not have recourse, although they might have had, to the civil courts in some parts of the country. I do not know a single case in which the assessment was disputed in the Civil Court, although they had a full right to do it.

The CHAIRMAN: They appealed to the Collector.

Mr. ALEXANDER ROGERS: Yes, to the Collector or Revenue Commissioner, and not to the Civil Courts. The assessments are based on such very various considerations that it would be very difficult indeed for the Civil Courts to understand them.

Mr. C. W. ARATHOON: But although they cannot go to the Civil Courts, under this fourth section of the Act, they can still go to the Revenue Commissioner or to the Government.

* Vol. XIV., Part 1, 1882.

The Hon. Mr. Justice WEST: As the time is so short I shall at once plunge in *medias res* and go to that subject of the paper with which I am more familiar than the others. That is, of course, the legal portion of the argument as to the Act X. of 1876, the Bombay Revenue Jurisdiction Act. I think that Mr. Javajilal is under an entire misapprehension as to what the state of the law was before, and under some mistake also as to what the effect of Act X. of 1876 is. When that Act was under discussion the law member of the Government of India was in communication with the Chief Justice in Bombay and Mr. Hope, then a legislative member, I think representing Bombay on the Governor-General's Council, was in communication with me on the subject of the proposed legislation; and it was pointed out by Sir Michael Westropp, the Chief Justice, after conference with me on the subject that, as a matter of fact, it was perfectly needless to make any declaration in the new Act that the Civil Courts had not jurisdiction to determine the propriety of any new assessment. The political, economical, and social conditions which should determine the director of an assessment in measuring its proportion to the supposed produce of the land, and the supposed means of those who cultivate the land, were considered before, equally as after, the passing of Act X. of 1876 as a matter with which, judges as judges, and courts as courts, would not be specially conversant, and in which their opinion would probably be of less value than that of the revenue officers who had been brought up in that particular department of public business during the whole course of their official lives. And this accounts for the fact to which Mr. Rogers referred just now, but which he explained, I venture to say, in an imperfect manner—the fact that before the Act X. of 1876 the ryot in the Bombay presidency could not go to the civil court to gain relief against an assessment which he said was too heavy for the land to bear. He could go to the civil court, however, on this ground, that his land was either wholly or partially exempt from payment. He could do that; and in the correspondence I had with Mr. Hope in 1876, when the example of England was adduced, and not improperly adduced from one point of view, and the state of matters in England with regard to assessed and income taxes, for instance, from the burdens of which no one has any common-law right to go to the civil courts in England to get any relief (you must go, if anywhere, to the commissioners or authorities to that end appointed). When that was referred to I was able to point out a case as far back as the time of Richard II., preserved in Maddox's "History of the Exchequer," in which a certain monastery even at that time made its appeal to the Court of Exchequer against an assessment, far heavier

then in proportion than the land tax that is levied now, and it obtained an exemption on showing that this land, or a certain portion of this land, had from time immemorial been exempt from land tax, whatever the varying amount of the land tax might be. Now, so far, the courts may properly guard individual rights; but when it comes to determining whether the executive government, or the administration, are putting too heavy or too light an assessment upon the land, you get into a sphere with which judges as judges, and lawyers as lawyers, are not specially conversant, and with which other people are, and from which lawyers therefore as such may very properly be excluded. I do not think myself that any great advantage, or any advantage at all, would be gained by the ryots by their being allowed to bring every case of assessment which they think too heavy or too hard before the courts. It would lead to an immense deal of litigation; and if the Government were in that way involved in large costs to one ryot, it would have to levy those costs from other ryots, because the Government is only the conduit through which the money flows from the payers of the taxes to the public servants, and others who receive moneys from the public. The practical impossibility of the courts being arbiters in matters of the adjustment of taxation was recognized almost immediately after the institution of the Supreme Court of Bengal. As I did not see the paper before I came into the room, I am not able to recall the precise date, but I have it very clearly in my mind that the Supreme Court of Bengal having attempted to interfere, and having actually interfered, in matters of revenue shortly after its institution, an Act was passed in the 26th of George III., which positively declares that the Supreme Court shall have no jurisdiction whatever, and shall not interfere with the Government in matters of revenue. That was a practical solution of the matter, and it is a solution which would become practically necessary supposing that the civil courts were ever allowed to assume that office for which (without prejudice, I may say, since nearly the whole of my official life has been spent as a judge and a judicial officer) they are particularly unfitted. I shall proceed next to another matter in the sphere of law; that is the theory of taxation according to the Indian law. And, I think, if anyone will disentangle the meaning of the Hindu commentator who has been translated by Colebrooke from the rather barbarous language in which it appears in the translation, he will find that there is a very just and rational theory of taxation laid down there. He says that the ryot, the first occupier of the land, is its natural owner; but over and above his natural ownership there extends the protective ownership of the

State; and by the protective ownership of the State it is evident that the Hindoo lawyer intends to convey that which all Europe has admitted, and has been obliged to admit from the very necessities of the case, under the name of the "eminent domain of the State." The eminent domain of the State means this: that all private property in a State is held subject to the necessities of the State as such, and therefore all land must be liable to taxation, and not only to taxation, but varying taxation, when the very existence of the State is at stake, and its power and honour must be supported by means levied from its inhabitants. This is a just and rational theory, and it has been applied in England and in other countries in two different ways. Let us take the case of England. The land tax formerly represented a very large proportion of the income of the land. It has been estimated to have been as much as 20 per cent., and we know that at certain periods it represented at least 40 per cent. of the whole of the taxation of England, and that not so very long ago. By what I think a somewhat iniquitous arrangement, made about one hundred and fifty years ago, the land tax was fixed—

Dr. G. B. CLARK: In 1798?

Mr. Justice WEST: No, I am speaking of the arrangement made in the time of Sir Robert Walpole, when the beer tax was put on to relieve the country gentlemen of their land tax. The land tax now bears an inconsiderable proportion to the produce of the land, and the State has in fact been deprived of its share, as I contend it was, properly speaking, a share, in the landed interest of the country. That is one method of taxing; but there is another which is in operation in England, and that is rating. All rating for local purposes, we know, goes upon the estimated annual value of the land, and that includes all improvements. Now, this rating, according to the theory that improvements must in no instance be taxed, would, of course, be a very iniquitous arrangement, but the principle is not complained of as being so eminently iniquitous in England.

Dr. G. B. CLARK: Oh, yes, it is.

Mr. Justice WEST: Well, those who bear it may perhaps sometimes call it iniquitous, but I say it is not so called by any general consensus of opinion, because otherwise it would very soon be changed by a new law passed to that effect by the Parliament. But, in truth, so long as rating does not amount to a very large percentage of the

produce it excites no very considerable discontent. When it becomes a very large proportion it naturally does so. Now, such rating is really in practice the same as that on which the taxation in India has been based under the former rulers, and, to a certain extent, under our own Government. It has under the native rulers always taken improvements into account, and it is only when the British dominion was established that the question arose of how far that practice could still be followed consistently with the general progress of the country; and it was found very soon that it could not be so followed. Even under native rulers it was necessary very often (it was customary all over the country) to encourage the cultivation of rice land by giving the terms of the exaction of a very limited proportion of the assessment to begin with, gradually rising, and only gradually rising, up to the full assessment of the land; and this contained the germ of the practice which the English government in various parts of the country has applied or attempted to apply—that is to limit your assessment in such wise as not to make it any permanent or considerable bar to improvement. The zemindars—the much abused zemindars of Bengal—really had a basis for the indulgence as it appears now shown to them at the time of the permanent settlement, one substantially the same in principle as this practice. There was a quantity of land in Bengal, a number of estates (call them estates for convenience of expression) from which the Government was deriving a very precarious and very limited income. It was thought, and anyone who reads the very elaborate minutes that were written at the time (I have had, as a matter of duty, to go all through the printed ones) will find that there were very elaborate and convincing arguments used in favour of the zemindary system with reference to the then existing circumstances of the Government of India. And there is no doubt that the benefits conferred on the zemindars were not such but that the first race of zemindars nearly all became bankrupt. It is notorious that the first set of zemindars constituted in Bengal nearly all became insolvent; and it was only when they were thrust out of the field and a new set of men who had made money by business, for the most part in Calcutta, came in with capital and improved the waste lands annexed to the zemindar is that they became so immensely productive as we now see them. There was, no doubt, a want of foresight on the part of the Government in not providing better for the future. To some extent, however, the Government did provide for it, because they made reservations on which they are basing further legislation for the benefit of the ryot, and I consider that basis is quite sufficient for all that has been proposed for the elevation and relief of the pressure on the ryots

in Bengal. (Hear, hear.) But do not let it be for a moment supposed that when the Government of India made this arrangement with the ryots in 1793, 4, or 5, that the condition of affairs there was what it is now or anything like it, and that the Government of India really had no reasonable ground for the policy it adopted then. On the contrary, the arguments, if one reads through them and looks at them from the point of view of that time, were very evenly balanced, I have never myself been an advocate of the permanent settlement, nor am I now: but let us do justice to people even though we have to differ from them. But, then, let it be remembered, too, that this zemindar system was in theory much the same as that which Mr. Javerilal asks for now. Because directly you constitute an estate in land you make land leaseable, and, having a letting value, it would be leased. We found it was so in Gujerat. I appeal to Mr. Rogers, who has had an enormous experience in Gujerat—probably more than any man living at this time—whether valuable land is not, as a matter of fact, very much leased out there and the intermediate profit taken up by the landlord class, who, under a permanent settlement, would immediately increase in numbers without making any adequate return to the community until an entirely new organization of society could be established in India; who would be mere *nati consumatori fruges*, not adding to the value of the produce of the land or to the moral advancement of their neighbours very materially, but gravitating towards the large cities, as we find the landed proprietors in Bengal have been doing, and not only in Bengal, but even everywhere in Europe, where large landed proprietors exist, as we may see in Italy, France, and Germany, and elsewhere, the social organization being different there from what it is in England. Now the permanent settlement being necessarily attended, and naturally attended, with consequences of this kind, it is a question of very great difficulty to say whether a permanent settlement would, on the whole, be beneficial: and I doubt myself very much whether it would. I think myself it would be preferable to adopt some scheme by which while improvements should not be taxed or should not be heavily taxed, the varying and generally improving conditions of society and of property should redound not only to the advantage of the individual owner, but of the society which protects the owner in his estate. Now this successive settlements have attempted to do, but they have done it, of course, imperfectly. The subject is one, as the Chairman observed, which runs into very great details. I see I am trespassing rather long on the attention of the audience, and therefore I shall state simply what my opinion about the proper bases of assessment, and of

further assessment is, namely, that there should at the time of the settlement be a distinction of the land into grades and classes—a relation of the parcels established *inter se* which should thenceforward be permanent for the group or area. You cannot say that for the future the taxation shall be so much for each acre or each class of land, but you can say that the proportions and relations of the classes of land to one another shall be permanent; and then if by his own improvements a man raises his land from class seven to what under a new assessment, supposing there were a new assessment, would be class one, he enjoys the whole benefit of the distinction between class seven and class one. And no matter what the variations on the whole may be the relations of the classes to one another are the same, and the Government cannot increase the taxation to any extraordinary extent without throwing the lower class of land out of cultivation, and so injuring itself to such an extent that it is prevented by that very circumstance from ever putting an extraordinary and overwhelming amount of taxation on the improved lands. I think, therefore, if the lands at the settlement were distributed into a number of classes, say from one to ten, or one to seven, or one to eight, as practical men should direct, and those classes made permanent, you would then have a safeguard against all extraordinary or over-taxation. I believe something of this kind was contemplated by the section of which so much has been said—section 30 of Act I. of 1865; and I must say that I have not found, looking at the whole of it, as a lawyer or judge is bound to look at it, any very great difficulty in construing its real sense. If you take the part which says “not with reference to improvement” along with the other part “with reference to the general considerations of value,” it appears to me to be perfectly clear that it means that the land tax ought always to be levied with reference to what in this country is called substantially a ground rent, or on a principle illustrated by a ground rent; and that is the amount which may properly be asked and paid for a piece of land whether it is built upon and thus developed or not. It still, in the latter case, has its ground rent, because it is capable of improvement to a certain extent, that is the ground rent by estimate or assessment independent of whether actually it is built upon or whether it is otherwise improved or not. I think that a classification of the land once for all would save an immense amount of uncertainty; it would give a broad and certain basis to go upon, and it would prevent all excessive taxation for the future, and give everyone according to the spirit and the principle of section 30 of the Act I, of 1865, the whole benefit of his individual improvements, in making his land of a lower class as productive as that of a higher class, and in making the best lands indefinitely

productive, while the claims of the Government would always be defined and limited by the necessary numerical relation between the land-tax on the highest classes of land, and the tax on the lower or the lowest, which could not be materially raised or lowered except in response to entirely altered general conditions, or a great change in the relative value of money. (Applause.)

Mr. ALEXANDER ROGERS: I may perhaps be allowed to say that Mr. West's last suggestion is really what is done.

The CHAIRMAN: So I understand. The quality of the soil is considered, and it is classified accordingly.

Mr. ALEXANDER ROGERS: Yes; it is classified according to its quality, for dry crop, wet crop, or rice cultivation.

Mr. MARTIN WOOD: In relative proportions?

Mr. ROGERS: Yes.

Mr. Justice WEST: The difference is this: that under the existing system land is classified in one settlement, and that classification is permanent during the settlement, but it may be altered at the end of the settlement. That involves an element of uncertainty which I would eliminate altogether by saying, Have a careful survey; have it well inspected, and then settle once and for all what the relative classes of the soil are in a particular district with regard to each other, because the subsequent variations must arise from circumstances that involve improvement to some extent.

The CHAIRMAN: I have always understood that that is done by the Revenue Survey Office, and with great precision and minuteness and great skill. I ought to apologise for having fallen into error on the question of appeal, and I am obliged to Mr. West for correcting me. From what is stated in the paper I gathered that there was no law which enabled people to appeal against assessment to the Civil Courts.

Dr. G. B. CLARK: It has always been so in Bengal; it is a Bengal law.

The CHAIRMAN: But it is not so in the rest of India, I think. The true application of that principle is that the actual assessment is appealable only to the Revenue Commissioner or the superior authorities of the officer who made the assessment, but not to the Civil Court. The rights of property involved, if there are any, in the assessment, are, of course, subject matter to be submitted, if they arise, to the decision of the Civil Courts; what you may call the personal rights of landowners are appealable to the Civil Courts.

Dr. G. B. CLARK: I should just like to say, with reference to the paper itself, that it seems to me it should be called really a plea for a permanent settlement in Bombay. I think the arguments of the writer are very mixed indeed; on some of the points he has raised he replies to himself. In one of his statements on which he bases a plea for a permanent settlement, he states that, "The plain truth" appears to be, that it is utterly impossible for the settlement officer "in practice, to draw any real and effective distinction between" improvements effected over a large area by private capital and those "which are due to extraneous causes." Well, if it is utterly impossible, why does he complain of its not being done? This paper asserts that improvements are taxed and valued, and the writer wants the improvements not to be valued, and, at the same time, he states that it is utterly impossible for the valuer to separate the one from the other. Well, we do know what economic rent is. Ricardo pointed it out long ago; and we know that in India, as in other countries, distinction is made between improvement and the inherent powers of the soil. It seems to me that the paper is really an attempt to 'get for the cultivators in the Bombay Presidency the unearned increment for the future'; and if the paper had been honestly stated to be an argument in favour of it one could understand the position taken, but it does it in a very indirect fashion, and I have very little sympathy with its real object. There is another point on which he appeals, and upon which the arguments that we have heard this afternoon do not weigh much in my mind. He argues for a right to go to the Civil Courts on appeal from a decision of an assessment officer. I think that is a right that the Bombay ryots ought to have. (Hear.) Nothing in the last speech that we have heard, nor in any portion of the discussion has modified my views with regard to that matter. The reason there should be a right of appeal, is this: The law lays down the conditions upon which the revenue officer ought to act, but the revenue officer may not act in accordance with the law, and he may make assessments in accordance with neither the letter nor the spirit of the law, and the ryot ought to have the right to appeal to the Civil Courts upon such assessments. I think that is only fair and just. I am not a lawyer, but I know sufficient of our English law from practical experience to know that we have a right of appeal here. Four years ago I had a house built for me and I was assessed at £175 a year, I appealed to the Assessment Committee, and it was reduced to £140; then, as I had a right of appeal to the Surrey Justices at their quarterly sittings, I gave notice of appeal to them, upon that the Assessment Committee met again and reduced it to £130, so I had two reductions; knowing the inadvisability of fighting the Assessment

Committee of my vestry I chose rather to pay the money than appeal; still I had the right to appeal, and I think that that right which we have here the ryots of Bombay ought to have likewise. There are two points introduced which I should like to say something about. It so happens that this very powerful Government have been twice defeated upon the very question that is now raised here, the taxation of land and improvements, and there is a very strong feeling in the country as to our present methods of taxation. I am not a member of the Conservative party, in fact I am a very strong Radical, but I may say that on the two occasions on which the Conservatives did defeat the Government, and defeat them rightly, it was upon this subject of making one sort of property bear the burden which ought to be distributed over other kinds of property. A gentleman, like a lawyer, may in his chambers make £10,000 a year, and practically bear no local burden at all, whilst the poor farmer or struggling tradesman who has to take large premises has to pay all kinds of local rates. I think there is a great amount of injustice in the present system, and it is felt very strongly by a large section who have twice defeated one of the most powerful Governments; indeed that Government has been turned out of office principally upon the ground that to tax real property any further until the two resolutions of the House were put into force was unjust, so that this is really here in England a much more important question than the last speaker seems to suppose. Taking the paper as a whole I do not think Mr. Javerilal has been able to adduce any facts to show that improvements have been in the past on a large scale assessed. That improvements can be separated from the natural and inherent value of the land we do know. We have had it in India; we have had it all over the world, and I do not see at all any reason why the Bombay settlement, which I look upon as the best in the world, should be interfered with. I am glad that this paper has been read, because, as Mr. Wood has told us that Mr. Javerilal is a very able man, we may assume that the case against the settlement has been put by one who can do full justice to it. Notwithstanding the paper, I still think the Bombay settlement the best for all concerned. (Hear, hear.)

MR. W. MARTIN WOOD: Mr. Chairman,—It would be futile for me to attempt to follow the whole of this interesting discussion, but I ought to make some reply with regard to what Mr. Rogers said so emphatically (and I think Dr. Clark repeated his remark), that Mr. Javerilal has brought forward no facts to prove that improvements have been taxed. Certainly he does not cite A. B. or C. D., but he does, on page 239, as you will see, refer to a whole class of facts, and very strong ones. He says: "The excessive enhancements of the

"assessment so much complained of in many parts of the Deccan, "were effected chiefly under the supposed necessity of re-classifying "rice land, nine-tenths of which is believed to have been converted from "dry crop at the sole cost of the occupant; and it is feared that "at the forthcoming revision, operations in the several districts of "Gujarat, similar enhancements will result from the exercise by "settlement officers of their power of re-valuation of rice lands, which "have been made out of dry crop lands at the ryot's expense." Of course, I am aware that Mr. Rogers has pointed out an unimportant qualification with which that statement as regards the Deccan districts has to be taken; but, still, it is my duty to mention the sort of evidence that Mr. Javerilal has furnished. He says again, on page 241. "Should any official apologist be hardy enough to dispute "the truth of what is here asserted, thousands of witnesses can be "produced who will unanimously support what is here stated. The "cultivator who finds his assessment doubled at the revision of the "settlement, and who knows only too well the amount of private "capital he has sunk, the debt he has incurred, and the labour he has "spent during the currency of the old settlement—he, we say, is little "likely to be mistaken in his appreciation of the additional burden "cast upon him." I am quite aware that there remains the question to be determined, what portion of the improvement is due to the cultivator's outlay, and what portion has arisen independently of the cultivator? I merely read those passages to show that Mr. Javerilal has, at any rate, made a show of bringing forward statements of general facts, though not evidence as to particular cases—he cites groups of cases and claims. With regard to the strong objection raised by Mr. Javerilal with reference to the Bombay Revenue Jurisdiction Bill, and the urgent request for the repeal of section four, I was rather surprised to hear what fell from Mr. Justice West, on this topic. I am bound to refer to his judgment, even after he has left the scene; but he must remember that this Act of 1878 made an entire change in the jurisdiction over revenue cases; as between the two great divisions of the Bombay presidency, that is above and below the Ghauts. The very preamble of the Bill shows this: "Whereas in the Deccan, Khandesh, the Southern Mahratta country, "and certain other territories comprised in the presidency of Bombay, "the jurisdiction of the Civil Courts is limited in matters connected "with the assessment and collection of the land revenue; And whereas "it is expedient that the jurisdiction of the Civil Courts should be "limited in like manner throughout the third presidency." At the time when the regulations of the "Territories taken over from the Peishwa" were passed by Mount Stuart Elphinstone, he drew this up

for the Doonam, and excluded the Civil Courts therein from that degree of supervision which had always obtained throughout Gujarat and, I believe, in the Konkan below the Ghauts; this Bill, in 1873, was passed to place these older territories under the same restrictions as the later acquisition. In the statement of "Objects and Reasons," as cited by our colleague, Mr. William Taylor, in the excellent paper* he read on the subject; there is this passage: "The Government of Bombay have recently brought to the notice of the Government of India a case in which an assessment, made by the Survey officers, under the 25th section of the Bombay Act I. of 1865, was reduced by a Civil Court; I have strongly urged the inexpediency of continuing to the Civil Courts, in one portion of our territories, a jurisdiction which they are precluded from exercising, not only in other parts of the Bombay presidency, but also elsewhere in India as well." Of course, we are quite aware, as Mr. West and other speakers have said, that to give the ryot the right of appeal upon particular assessments to the Civil Courts, would lead to endless litigation and so on. That is not what was included under the old system; it was simply a right to appeal to the Civil Courts, to say whether the principles on which the assessment should have proceeded, had been observed in the settlement or not, and also a right of appeal in cases where persons pleaded specific exemptions in matters of land evidence. But it is not for me to go in to reply upon the whole of this discussion. I have, as you will see, myself read the paper with all reserve. I accept nearly everything that Mr. Rogers, for instance, has said, but there is, after all, some uncertainty as to the results. Mr. Rogers has affirmed that it is the intention of the responsible authorities not to tax these improvements, and not to gain revenue from the outlay of the cultivators; but then come the Settlement officers, who naturally magnify their office. They are supervised I know, but still it is their business to make a good assessment for the interest of the State, and that tendency requires, and is difficult to be checked. With regard to the permanent settlement, and the comments that have been made both by Mr. West and yourself, Mr. Chairman, upon that old scheme of 1820, which Mr. Javerilal advocates, it may have been rash on my part to express such strong approval of Mr. Stuart's plan, and I speak with great deference in venturing to differ with two such authorities: but we have the advantage of knowing all that has passed in Bengal since that automatic scheme was proposed. If the principle of those proposals had been adopted, it would have reserved the just rights of holders

* See Journal Vol. X., Part 1, p. 8.

of estates, and, at the same time, have enabled the State to gain its proper accretion of revenue. We should not have the enormous anomaly of Bengal paying only one fourth or one-fifth of that proper proportion of land revenue which is paid by Bombay, and all the other provinces of India. (Hear, hear.)

Dr. ROBERT PRINGLE: I have been very much struck with a remark made by the Chairman regarding the great uncertainty, owing to climatic causes, of gathering any harvest at all in many parts of India, and assessing tracts of country where seed is sown *on the chance* of the weather being favourable, requires the greatest skill, and local knowledge; and it is certainly a hard thing to demand revenue from, it may be, hundreds of acres from which not only is there no return whatever, but on which money has been lost in the seed sown. Where there is water you may *secure* a crop and hence a revenue, but not otherwise, and a return showing the tracts of land absolutely dependant, from a variety of causes, on the rain-fall alone, would exhibit this question of settlement of land revenue in a remarkable light. There is a possibility, however, of having too much water, and I know of thousands of acres in the upper Doab of the N.W.P. (and I fear this state of things will go on increasing), where, owing to the facilities of irrigation, or rather inundation, the land is being rapidly ruined by this excess of moisture, and ere long these lands will have to be re-assessed. This condition is well seen in lands which, from various causes, have been long under sugar cultivation. If the ryot were a free agent he would rotate his crops, but as too many of them are in the hands of the money-lender, the surest and best return for his (the money-lender's) money is sugar cultivation, and if the ryot's land is limited, and his debts considerable, this cultivation will go on till the land is ruined, as regards productiveness, for many years, but, unless at the beginning of a new settlement, he will get no reduction for this really compulsory deterioration in his land. The same deterioration is met with in rice lands, under similar compulsory circumstances, and the tea planters in the Dehra Doon, in the N.W. Provinces, know to their cost how valueless for tea cultivation these exhausted rice lands are, and frequently this fact, from various causes, is not discovered till too late. I knew Pooree and Cuttack in Orissa for the eight years preceding the famine, and could not help feeling the rockless exportation of rice would bring its own punishment, and from all I can hear Orissa will never again know the plenty it knew in 1854, when, in the district of Pooree, to my knowledge, a million of maunds of rice were lost in the floods, and yet there was little or no variation in the price, much less any scarcity. As regards

the ~~permanent~~ settlement in Bengal, or which we hear so much at present, and shall probably ere long hear more, there is one thing that seems to me to be rather lost sight of in connection with it, and that is, the circumstances under which this mode of settling the land revenue was thought advantageous by the Government of that day—these circumstances in the main were the best manner of securing the power, and influence of the landed proprietors on the side of the Government, and it was expected, that a permanent settlement would best attain this object. If the privilege then granted has been used as an organ of oppression, by all means have it inquired into, and the defects remedied; but if all that can be said against it is that its continuance in the form in which it was granted entails a very considerable loss of revenue, at a time when expenditure is greatly increased, then the successors of those with whom this settlement was made have a perfect right to say you had your own reasons for making the settlement permanent when you did, and derived at the time the benefit from it which you anticipated, and used; because the conditions which then existed have changed, and a loss in revenue is entailed by this mode of settlement, to virtually change this settlement is a breach of faith. In all discussions, however, on the subject of land revenue, it must be borne in mind that India is composed of countries varying in a remarkable manner, and to lay down a hard and fast rule, or set of rules, for the fixing of this land revenue would be obviously impracticable, and what may be most suitable locally for Goozerat would not therefore be necessarily suitable for the N.W. Provinces and Oudh. or Orissa. (Hear, hear.)

The CHAIRMAN then declared the discussion at an end.

Major-General R. M. MACDONALD, said: Gentlemen, Before we disperse, I beg to propose a vote of thanks to Mr. Ayrton for presiding, and also for the very valuable remarks with which he has been good enough to favour us.

The Rev. JAMES LONG: I beg to second that. I shall be very glad to see that speech of Mr. Ayrton's printed in letters of gold; it is one of the finest speeches I have ever heard on the subject.

Mr. W. MARTIN WOOD: I should like to add that especial thanks are due to Mr. Ayrton for his having taken up the chair at short notice in the way he has. The exhaustive speech to which we have had the pleasure of listening shows that he is the right man in the right place. (Applause.)—The motion was carried unanimously.

The CHAIRMAN suitably responded, and the proceedings terminated.

THE FOLLOWING
P E T I T I O N
 WAS
 PRESENTED TO THE HOUSE OF COMMONS,
 BY
 GENERAL SIR GEORGE BALFOUR, K.C.B.
(Member for Kincardineshire),

Regarding the Exemption of Personal Property in India
 from Probate Duties.

*To the Honourable The Commons of the United Kingdom of Great
 Britain and Ireland in Parliament Assembled.*

*The humble Petition of the Council of the East India Association
 most respectfully sheweth—*

*1. That by sec. 29, clause (a) of the Customs and Inland Revenue
 Bill now before your Honourable House, stamp duties at the like rates
 as are charged on affidavits and inventories by the Customs and
 Inland Revenue Act, 1881, are to be charged and paid on personal
 estate and effects which, by reason of the local situation thereof, are
 not included in any affidavit or inventory under the provisions of the
 Act of 1881.*

*2. That this will include assets in India which have to pay an
 Indian probate duty of two per cent., thus increasing the duty, which
 has to be paid in such assets before the estate is realized, to five per
 cent.*

*3. That in the possible case of a person dying in the United
 Kingdom leaving no assets except in India, his estate will be charged,
 not only with the additional duty of three per cent., but also with the
 cost of English probate, which will be of no use to the executor,
 and in any case duty will have to be paid on assets which the probate
 will not help the executor to recover; and the expense of taking out
 the English probate will be greatly increased, the amount of Probate
 Court fees depending chiefly on the amount of assets mentioned in the
 account.*

*4. That one great advantage as a tax of the probate duty as now
 imposed is that the executor cannot deal with any part of the assets
 in the United Kingdom without paying the duty; this, owing to the*

form in which the duty is levied, is specially the case in Scotland where each asset is clearly described in the inventory, but this valuable check will not exist in the case of effects, which by reason of the local situation are not included in the affidavit or inventory. In many cases great additional trouble will be given to the executor, besides the additional expense to the estate, without any equivalent advantage, whilst from the great inducement offered, the chances of fraud will be increased.

5. That the revenues of Her Majesty's Indian Empire so largely supplement the revenues of the United Kingdom that your Petitioners cannot believe that your Honourable House will lightly impose a tax which will benefit the one at the expense of the other.

6. That this tax must have the effect of inducing many to withdraw their capital from India, which will not only cause a direct loss of Indian probate duty, but also in all probability seriously diminish the general prosperity of the country.

7. That among those whose money will still be permitted to remain in India, the great majority will undoubtedly be pensioned officers (civil or military), whose savings will ill bear a diminution of five per cent.

8. That the children of such officers will, no doubt, under the Act of 1881, be relieved from the payment of legacy duty at one per cent., so that, as far as they are concerned, the amount of additional duty will not practically exceed two per cent, but the numerous very small estates which are left wholly to the widow will have to bear the whole additional duty of three per cent. Legatees chargeable with a higher duty than one per cent. will not be affected if the estate is solvent, but the whole additional duty of three per cent. will have to come out of the residue.

Your Petitioners therefore pray that, so far as may be consistent with the Imperial interests, personal estate and effects in India may be exempted from the operation of section 29 (a).

For the Council of the East India Association

ORFEUR CAVENAGH, *Secretary*.

June 8th, 1885.

